3 Days Time Enough To Prepare Defense, U. S. High Court Rules

Courier 1-13-40 Pittsburgh, Pa

Justice Hugo Black Writes Self-Contradictory Opinion in Case of Lonnie Avery of Alabama, Convicted of Murdering His Wife.

WASHINGTON, D. C., Jan. 11.—In a self-contradictory opinion written by Justice Hugo Black, the Supreme Court last Tuesday ruled that three days was sufficient time for counsel to confer, consult with the accused and prepare his defense in a first-degree murder case, notwithstanding they were otherwise engaged.

ALLEGED WIFE-SLAYER CAUGHT IN PITTSBURGH

The opinion was delivered in the case of Lonnie Avery, who was convicted of the murder of his wife in the Circuit Court of Bibb County, Ala., and sentenced to death. It will serve as a precedent until the Supreme Court overrules its own decision.

Avery killed his wife in February, 1932. He fled from the scene of the crime and was apprehended a short time before his trial in Pittsburgh. At the time of his arrest, he denied that his name was Lonnie Avery, or that he came from Bibb County or knew anyone there.

Because Avery had no counsel, Judge John Miller of the Circuit Court of Bibb County, appointed two members of the local bar on March 21, 1938, to defend him. Avery was arraigned on the same day. The case was set for trial two days later, but was not reached until March 24 when his counsel made a motion in writing for a continuance for lack of time for preparation.

FOSTER PARENTS OF WIFE TESTIFY

Avery was tried on March 24. The foster parents of his wife and another eye-witness to the killing testified for the State.

According to their testimony Avery and his wife had been separated for two months. Unarmed, she was on her way from the house to get a wash-tub when he shot her as she ran.

His defense was that his wife had the pistol, which she drew from her sweater as they argued, and that in attempting to take it away from her, the pistol was fired accidentally.

The jury returned a verdict of guilty with the death penalty. On the same day, Avery's counsel moved for a new trial on the ground that the trial judge had erred in failing to grant a continuance. Before the motion was heard, Avery's sister employed a third lawyer, who filed an amendment to the motion, setting out that the denial of a continuance had deprived Avery of the equal protection of the laws and due process of law guaranteed by the Fourteenth Amendment, by denying him "the right of counsel, with the accustomed incidents of consultation and opportunity of preparation for trial."

MOTION FOR NEW TRIAL OVERRULED

The motion for a new trial was overruled. Upon appeal, the Alabama Supreme Court held that the matter of a continuance was in the discretion of the court and no abuse of that discretion appeared.

In his tortuous endeavor to uphold the decision of the Supreme Court of his State, Justice Black injected into his opinion a discussion of "local social policy."

Negro Given Reprieve From Death On Jan. 22

Gov. Dixon yesterday granted a reprieve until Feb. 2 for Calvin Tucker Mobile negro whose electrocution for murder had been scheduled for January 22.

Courier 1-16 Pittsburgh, Pa.

The reprieve was granted so that a transcript of the testimony given during Tucker's trial might be compiled, and a clemency hearing was set for Jan. 30 in the Governor's office.

Tucker was convicted of the knife-slaying of another negro, Hercules Burage, Feb. 18, 1939, during a Shell Road altercation.

HOLD WHITES AS SLAYERS OF YOUNG WORKER

Courier 3-30-40 Pittsburgh, Pa

MOBILE, Ala., Mar. 28—(Special)—Charged with first-degree murder of Jeff Davis, two young white men, Woodrow Taylor and Clarence Watts, are being held in the county jail here without bond pending grand jury action.

The two men are accused of the robbery slaying of Davis, whose battered body was found on the morning of March 2, in a marshland section near city limits. His pockets turned out, Davis' skull had been crushed, apparently by a heavy iron bar, and there were more than a dozen separate stab wounds in his chest.

WHITE MERCHANT WHO KILLED WASHINGTON NOT JAILED, ALLEGED

Courier 4-6-40 Pittsburgh, Pa.

BESSEMER, Ala., April 4.—The Negroes of this city are very much concerned because of the recent slaying of Booker T. Washington, a young colored steel worker, by a white merchant named Reed, who owns and operates the Anchor Supply Clothing company, First avenue, in the heart of the colored business section. According to Elliott Washington, brother of the slain man, the latter was murdered in cold blood at his home on 27th street. Washington further stated that the clothing merchant came to his home supposedly for the purpose of collecting for a garment bought by Samuel Washington, a nephew of Booker T. Booker, it is stated, endeavored to explain to the person that his nephew did not have the money to make a payment at that patricular time but that a payment would be made on the next Saturday. Reed, the white merchant, it is stated, asked Booker:

"What the hell have you got to do with it," and took from Samuel Washington the coat for which payment was short, and went away. About three hours later the white man returned and allegedly without further provocation, fatally shot Booker T. Washington, who had endeavored to pacify the merchant. The merchant, Elliott Washington and others declare was not arrested but continues to operate his clothing business a groes of Bessemer are gradually the same location, although the Ne refraining from patronizing the establishment.

Negroes Freed In Killing

HUNTSVILLE, Ala. — Solicitor Jeff D. Smith said Saturday four Negro youths held in connection with the fatal shooting of a white youth had been released from jail.

The youths were detained Friday following the death of Dewey Wiley Moon, 19, who was shot through the heart at his home.

Smith said the Negroes denied having seen the gun that discharged until after Moon had been shot, and that no evidence could be found to incriminate them.

Newspaper Birmingham, Ala.

Good For Fairfield

The Fairfield City Council has done the proper thing in voting to reopen the case against the Fairfield police officers charged with beating a Negro prisoner who subsequently was shot to death by one officer at police headquarters.

In the discussion preceding the decision, members of the council and others pointed to the unfavorable publicity Fairfield has received as a result of the incident. Here is an illustration of the old truth that publicity is one of the great healing agencies in a democratic country.

We need more publicity for questionable occurrences in this country. We need more of the spotlight of publicity turned upon the dark spots in our society.

We ought to be thankful in this country that citizens have a right to protest or to inquire concerning what seems questionable actions on the part of their public employes. There are many countries today where that is not the case. But here we can be, and should be, skeptical about any occurrence which public officials seem inclined to want to hush up.

Now that the Fairfield City Council has decided to make a thorough investigation of the case, there should be no halfway measures. The facts should be ascertained and the proper action taken, whatever it may be. As important as it may be to take the proper action, however, the more important thing is to get to the bottom of the facts and to make them public.

Birmingham, Ala. News
May 16, 1940

The Fairfield Affair

This country is supposed to be one of freedom, where civil liberties are respected and due processes of law are observed. And in general it is such a country. But occasionally, here and there, in one way or another there is a departure from these American principles.

Such a departure has come to light in Fairfield, where a Negro, arrested in connection with a fight with a white man, was severely beaten in the Fairfield jail and then shot to death. All statements of witnesses revealed that this happened, although there are some differences in the accounts of how it happened. The exact manner of its happening is not greatly important, for surely, in a police station, with several officers present, an unarmed Negro, no matter how obstreperous he might have been, could have been handled without being shot to death, or even being beaten with a blackjack.

Yet the testimony shows that the man with whom the Negro had the fight leading to his arrest — a civilian — was permitted, in the City Jail, to strike the prisoner repeatedly with a leather strap. According to the man's own testimony, he "hit this Negro in the face with this strap for about a minute and a half as hard as I could."

Then some of the officers struck the Negro a number of times with a blackjack and a leather strap. After a time there was a scuffle between the Negro and one of the officers, and the Negro was fatally shot.

The officer accused of shooting him is under bond on a first degree manslaughter charge, and is under suspension from the Fairfield Police Department for 30 days.

Mayor Gilley asked that this officer and two others involved in the affair be dismissed "for conduct unbecoming officers"; the City Council refused to do so by a five-to-four vote.

There is already evidence of strong resentment of this treatment and of the Council's attitude on the part of the people of Fairfield. We believe this attitude will be shared by the majority of the people of Fairfield, as well as of Birmingham and this whole area. Mayor Gilley's stand deserves the solid support of the City Council

Police-Slayer Still In Jail, Unable To Make $2,500 Bond

BIRMINGHAM, Ala.—(SNS) Thomas Nelson, police slayer of O. D. Henderson, was under indictment by the Bessemer Grand Jury with second degree murder and unable to make bond over the week-end. He was still in the Bessemer jail. Bond was set at $2,500.

A cafe catering to both colored and white trade was said by Fairfield citizens to have fired a a colored waitress for "discussing the police-slaying case" in the cafe.

Other officers as well as the citizen were placed in the Bessemer jail and later permitted to make bond of $2,500 on the same charges.

Fairfield citizens, colored and white, meanwhile continued their insistence on a fair trial for all participants of the "mass mob-murder" that occurred in the Fairfield jail on May 9. Officer W. G. Cook was still on the Fairfield police force, the City Council refusing to ask the civil service board to fire him.

Announcement of the Grand Jury action served to calm Fairfield citizens who were bent on seeing the case through.

Race Investigators Threatened In Ala. Police Beatings Case

BIRMINGHAM, Ala., May 23 —Because of the activity of colored citizens in the investigation of the Fairfield, Ala. police slaying, two members of the committee of six appointed to learn the facts, received threats over their telephone last Thursday. Their wives reported that a voice said over the phone "you had better lay off that case if you know what's good for you" and hung up. One of the men, Mr. Stevens is president of the civic league and Mr. Owen is a Fairfield grocery owner. Both stated that they had no fear and redoubeld their efforts to see the case through.

Famous Case Comes To Natural Climax

BIRMINGHAM, Ala.—(SNS) — Death climaxed July 1 one of the most sensational cases ever to feature the crime annals of Birmingham, in the passing of William Peterson at Kilby Prison, where he had been imprisoned since 1934 when Gov. B. M. Miller commuted Peterson's punishment to imprisonment for life, after being arrested on a charge of murder of two

A Jefferson County jury sent Peterson to jail for the slaying of Miss Jenny Wood and Miss Augusta Williams and for the wounding of the latter's sister, Miss Nell Williams, now Mrs. Louie Reese.

The trial that followed brought nation-wide news comment. Many readers who remember the case classify it as being second in importance to the infamous Scottsboro Case. Dent Williams' shooting of Peterson brought much news copy and discussion.

Birmingham women and the wounding of another on August 4, 1931, at Shades Mountain on the old Leeds Highway.

The trial of Peterson for the murder of the two women and the wounding of anther was second in importance to the infamous Scottsboro trials and brought nation-wide comment after Miss Nell Williams saw Peterson while riding to the Elmwood cemetery and immediately recognized him as the slayer of her two companions on Shades Mountain. The recognition of Peterson as the murderer came weeks after the tragedy.

Peterson, protesting his innocence, was placed in the Jefferson County Jail, where on October 2, 1931, he was shot by Dent Williams as the latter questioned him in his cell. Williams, the brother of Augusta and Nell Williams (now Mrs. Louie Reese), was indicted on a charge of assault with intent to murder but was acquitted at his trial.

Peterson after being shot by Williams, battled death for days in the Hillman Hospital. He finally recovered to face a murder charge.

At Peterson's first trial, the jury disagreed and a mistrial resulted. Late one Saturday night at his second trial the jury brought in a verdict of death.

The legal aspects of the case ended in the first part of 1934 when Gov. Miller yielded to the popular sentiment that adequate proof of Peterson's guilt had not been established, commuted Peterson's sentence to life imprisonment.

Peterson dropped out of the news soon after the close of the case and only few times did his name crop up in the papers. Ill at the time of his arrest the defense brought out at the time of his trial that confinement would hasten his end.

His wife, Henrietta Peterson moved to Montgomery, soon after his conviction in order to be near him. She has made that city her home since that time.

Peterson's body was moved from Kilby Prison, Sunday, to the Lovelace Funeral Home, Montgomery from where it was moved to Smith and Gaston, in Birmingham for funeral arrangements.

Peterson at the time of his arrest resided at 521 South 63rd Street, Woodlawn.

Peterson Dies In Alabama Prison Cell

Youth's Guilt Still Doubted After Nine Years

BIRMINGHAM, Ala., (ANP)—Alabama's second greatest case came to an end Sunday at Kilby prison, when Willie Peterson of the famous Peterson case during 1931-34, died a natural death with-in (illegible) years.

Peterson was imprisoned in 1934 when a jury convicted him for slaying Jenny Wood, and Augusta Williams and wounding Neil Williams, all white, on August 4, 1931.

Sadness filled the hearts of hundreds who viewed the body lying in a local funeral home. It brought back those memorable days when this man struggled to prove his innocence.

SHOT IN JAIL

Peterson was arrested after Nell Williams saw him near Elmwood cemetery and recognized him as the slayer of her sister and friend. He was shot by Dent Williams, brother of the two Williams women involved, as he questioned him in his cell. Dent was indicted on a charge to assault, but was acquitted.

KILLINGS- 1940

3 Safe-Blowers, Caught In Act, Pay With Lives

Two Slain By Police In Dean Store; 3rd Dies Several Hours Later

Henry Nelson, 32-year-old negro, who saw his two confederates shot to death by policemen while he himself was dropped by pistol bullets and buckshot after the three were trapped in the act of safecracking at William T. Dean's grocery store in the small hours of yesterday morning, died at a local hospital about 7 o'clock last night.

The other two negroes, said to have been killed instantly when they tried to flee a police raid and make a get-away through the rear entrance of the store, were listed as Jesse Buchanan, safe-breaker and ex-convict, and James Dennis.

Police Captain A. J. Coker,, who directed six men in the search, said a passerby heard suspicious noises in the store and told Mr. Dean, the owner, who in turn called the police. Occupants of two patrol cars surrounded the building immediately, he said, but awaited his arrival a few minutes later to proceed with the search of the premises.

It was evident, he said, that one or more persons were inside the dark store. Within the 30 or 40 minutes he and his men kept watch outside, he said, someone inside came to the locked back door twice as though to open it and then went back.

Trapped And Knew It

It must have been apparent to the negroes, he said, that they were surrounded. Meanwhile, he said, police stood by quietly, awaiting the arrival of Tommy Dean, the owner's son with a key to the front entrance. It was later explained that Mrs. Dean had fainted upon hearing news of the burglars on the phone, and that Mr. Dean could not leave to bring the key until she was revived.

Upon Mr. Dean's arrival, said Captain Coker, he and five other policemen opened the front entrance quietly and went into the unlighted building.

They were gaining the middle of the store, he said, when one of the officers yelled, "look out! There they are!" He whirled, said Coker, to find a beam of light on two negroes crouched on a balcony-like feed bin at the back of the store. The light revealed that one negro was holding a leveled shotgun. In that second a third negro on the floor level with the policemen, jumped from behind a feed sack and started to run. The officers opened fire, using pistols and one sawed-off shotgun.

The one with the shotgun went down, said Coker. The other in the feed bin fell to the floor he said. "Don't shoot anymore! I haven't got anything!" The fire stopped immediately, he said.

Coker expressed the opinion that the three would-be robbers had gained access to the store from the roof entering through a skylight. In order to have a means of quick getaway, he said, they had broken a padlock on the door in the rear and had locked it again from the inside, slipping a bolt through the staple, probably when they heard police gathering on the outside.

Two Safes Drilled

It was discovered that holes had been drilled in both safes in preparation to blowing them with nitroglycerine. The pint of nitroglycerine found on one of the negroes was disposed of safely by dropping it in the Alabama River from the Tyler-Goodwyn Bridge, it was said.

Chief of Detectives Paul Rapport said Buchanan was well-known as a bad negro by police here and in Birmingham. The negro, he said, was notorious for his safe-cracking ability, having been implicated in the robbery of Heilpern's store here a few years ago.

Little had been learned about the other two negroes early last night. It was thought that James Dennis had come from Birmingham with Buchanan recently. James Nelson, a Montgomery negro whose address was given as 3 Sharp Street, was not well-known by police here, it was said.

Other officers beside Coker who answered the call were listed as Radio Patrolman J. O. Dunaway, J. D. Talley, W. A. Cauthen, J. L. Stough, M. J. Fant. and L. A. Strickland.

Negro Woman Arrested In Magic City Killing

Luvenia Oliver, 19-year-old negro woman, was turned over to Birmingham authorities yesterday after she confessed to the murder of a negro Wheeler Smith, in Birmingham, on Dec. 3.

The confession followed her capture by Detective Sergeants D. W. Keener and W. C. Frizzle about 1 a.m. yesterday.

The detectives said they had been on the lookout for the woman since a blanket radio dispatch issued two months ago gave a description of her. The negro, betrayed by a maroon sweater and an odd type of earring described in the dispatch, surrendered calmly at her temporary address at 444 Ray Street.

Negro Lifer Freed; Served 18 Years

Joe Terrill, 38, negro life termer who killed George Wilson, county game warden, near Mount Meigs, in 1922, departed Kilby Prison yesterday on parole.

A posse was out looking for the murderer of a policeman named Sansom when it came upon a buggy beside the highway. In the melee that followed one of the buggy's occupants, Terrill, scuffled with Wilson and shot him. Deputy Sheriff Joe Partin was shot in the arm.

Terrill's first trial resulted in a mistrial because one of the jurors held out for the hanging of Terrill. In the second trial Terrill was sentenced to life.

In prison his conduct earned him 51 lashes.

Another paroled was Oris Gaines, 36, negro, who killed his brother, Sam, in Morgan County. Gaines's explanation:

"I did not mean kill this boy but i had lost controle of mine on account of a fractured skull and i did not know i was doing but i have overcome that now and i am begging for liberty once more."

The third paroled yesterday was George Lambraski, 64, of Birmingham, whose efforts to abet officers in trapping of a thief resulted in a backfire—he himself was convicted of receiving and concealing stolen property. Officers recently told the truth about it.

HIGH COURT SAVES ANOTHER NEGRO

Reverses Alabamian's Death Sentence in a Murder Case, Citing Black's Opinion

Special to THE NEW YORK TIMES.

WASHINGTON, March 11—For the second time in a month the Supreme Court today invoked the guarantees of the Fourteenth Amendment to the Constitution to prohibit the carrying out of death sentences obtained on the basis of murder confessions wrung from defendants by coercion.

Four weeks ago, on Lincoln's Birthday, in a notable exposition of America ncivil liberties written by Justice Black, the court reversed a Florida Supreme Court decision upholding conviction of four Negroes for the murder of an aged white merchant.

Today the court reversed an Alabama State court decision sentencing to death Dave Canty, a Negro of Montgomery, for the slaying of a white woman. Canty's case, like those of the four Florida men, was remanded to the State courts for a new trial in a decision without formal opinion. The court merely noted that its ruling was based on that in the Florida case.

This held that confessions obtained by duress and coercion violated the "due process" clause of the Fourteenth Amendment, which was adopted after the Civil War to protect the new rights of freed slaves.

Affirms Another NRLB Order

In another decision without opinion, the court, referring to a decision it rendered last week in a similar case brought by the National Licorice Company of Brooklyn, affirmed a National Labor Relations Board order against the American Manufacturing Company, also of Brooklyn, ordering the management to disestablish a company union, reinstate employes discharged for union activity, and cease giving effect to individual labor contracts with employes.

Justices Black and Douglas again dissented, as they had last week, from a minor modification their colleagues made in the board's order in respect to posting of notices by the company regarding the ineffectiveness of the labor contracts.

The court declined to review the case of William P. Bruckner Jr. and William J. Gillespie of New York, whose conviction for fraud in the Philippine Railway bond case was upheld by the Second Circuit Court of Appeals.

In this case, marked by charges that the defendants brought to Washington a "beauty lobby" of New York show girls, the defendants were accused of seeking to mulct the holders of the Philippine bonds by taking for their own use funds sent to their protective committee by the bondholders, and planning to buy in bonds through false price-depressing rumors and then sell them at a profit.

Manton Cases Denied Review

The court declined to review a decision of the Second Circuit Court in two patent cases which that court reconsidered because they were involved in the charges of judicial corruption against Martin T. Manton, former senior judge of that court.

The court granted the petition of the Texas Railroad Commission for review of a decision invalidating the commission's system for prorating oil production in the East Texas fields.

It denied the petition of the borough of Edgewater, N. J., for review of a State high court decision invalidating a local ordinance prohibiting distribution of pamphlets in public places without a police permit.

After a brief session the court recessed until March 25.

Alabama Negro Who Killed White Woman Wins In High Court

Nation's Highest Tribunal Rules For Attacker On Charge Of Third Degree

WASHINGTON —(AP)— The Supreme Court reversed today the conviction of Dave Canty, Montgomery, Ala., Negro under sentence to die in the electric chair for the murder of Miss Eunice Ward, a white woman.

This action permits Alabama authorities to proceed with a new trial if they so desire.

There was no formal opinion, the court merely saying that the judgment was reversed upon the authority of a Feb. 12 decision permitting new trials for Florida Negroes who contended that confessions had been obtained improperly.

Canty, contending a confession was obtained from him through illegal and coercive methods, appealed from the Alabama Supreme Court.

Miss Ward and her sister, Lillian, had been picking flowers outside of Montgomery on March 19, 1938, when they were approached by a Negro who demanded money. He then slashed Lillian's throat with a knife and subsequently attempted to assault both. Eunice Ward died a few days later as the result of a blow at the base of the skull.

The state contended Canty was positively identified as the assailant and denied he was mistreated or coerced into signing a confession.

Court Tosses Canty Case Back At State

Alabama Denied Chance To Present Its Side In Unexpected Verdict

Lawson Stunned

Decision Based On Ruling By Justice Hugo Black; 'Almost' Unprecedented

With a show of august impatience the United States Supreme Court yesterday ordered a new trial for Dave Canty, Montgomery negro convicted of murdering an elderly nurse there in 1938.

The court—departing from practice—did not hold a hearing. There was no opinion. The court succinctly directed attention to Justice Black's famous decision in the Florida case.

Said Atty-Gen. T. S. Lawson yesterday:

"While I am not surprised that the court granted the petition for a certiorari on the basis of the Florida decision, I am surprised that it was reversed without allowing the State of Alabama the opportunity to distinguish the facts in the Canty case from the facts which brought the rule enunciated in the Florida case into existence."

The decision was no more of a surprise to Atty-Gen. Lawson than to anyone else familar with the Florida decision. However, he was incredulous when told that the State was denied opportunity to present its argument.

Procedure 'Uncommon'

The Attorney General thereupon telephoned the clerk of the court in Washington to ascertain. The clerk was quoted as saying the procedure was uncommon, but not without precedent.

Lawson had been preparing an argument calculated to differentiate between the Canty and Florida cases.

Canty, who was convicted of murdering Miss Eunice Ward and beating her sister, Lillian, was represented by Alex Birch and Ed Wadsworth. The attorneys based their appeal on allegations that Canty's confession—which he later recanted—was obtained under duress.

This they sought to show during the trial, at which their client pleaded not guilty. Among other things, the attorneys sought tenanciously to convince the jury that Canty had been held for some days in solitary confinement at Kilby Prison prior to his confession.

They argued that it was not customary for the police to question their suspects at Kilby, that they had taken him to Kilby the better to extort a confession.

Confessed At City Hall

However, the police announced at the time, and later testified, that when Canty signed his confession it was in the basement of the City Hall of a Sunday morning.

The Alabama Supreme Court upheld the Montgomery County Circuit Court in the conviction and death sentence. This decision antedated the Black decision, in which four Florida negroes were adjudged the victims of brutal and unconstitutional police methods.

When Canty is retried Solicitor Temple Seibels will go to court with a much weaker case, for the court's decision renders Canty's alleged confession inadmissible. In fact the trial judge will permit no reference to it.

What is left of the State's case is chiefly the testimony of Miss Ward, a retired Navy nurse, that to the best of her knowledge Canty is the man who set upon her and her sister behind the Masonic Home whilst they gathered flowers. She declined "to face my Maker" positively identifying Canty.

Conviction Of Negro Reversed In Slaying Of Montgomery Nurse

MONTGOMERY, Ala. — Another trial will be given Dave Canty, Negro, because the United States Supreme Court ruled that the first one in which he was sentenced to death on a charge of slaying a Montgomery nurse was based on an improperly obtained confession.

In reversing Canty's conviction, the Supreme Court Monday cited a Florida ruling permitting new trials for Negroes in that state who gave satisfactory evidence that confessions had been obtained improperly. Police Lieut. W. S. Powell denied that Canty's purported confession of the crime had been obtained with violence.

Canty was charged with killing Miss Eunice Ward, Montgomery nurse, on March 19, 1938, by slashing her with a knife while she was picking flowers in an isolated spot near Montgomery. Miss Ward's sister, Lillian, who was with her at the time, was seriously wounded.

Gadsden Ala. Times
March 14, 1940

The Lynching Of Justice

TWO years ago in mid-March, two Montgomery sisters—one 48, the other 52—alighted from their car not far from town for the purpose of picking wild flowers.

They were accosted by a negro man, who demanded their money. A struggle ensued. One of the women was knocked in the head with a heavy glass insulator; they were both slashed about the face with a knife. The negro tried to assault them. They were both left on the ground, unconscious. This was in mid-afternoon. It soon began to rain, and 15 hours later, just before dawn, one of the sisters, drenched to the skin, sorely wounded, regained consciousness and stagged for help. The younger sister died a few days later; the older sister finally recovered.

A negro by the name of Dave Canty was eventually arrested. He was identified by the surviving sister, and the state obtained from him a confession of the brutal murder. He was tried, convicted and sentenced to death.

The negro appealed his case and yesterday the United States Supreme Court reversed the conviction. There was no formal opinion. The court merely said that the judgment was reversed upon the authority of a February 12 decision which permitted new trials for several Florida negroes who contended that confessions had been obtained improperly.

That February 12 decision, rendered by Justice Black, was hailed as a new milestone for justice. "Liberals" throughout the land applauded it—but we wonder whether this decision is not as vicious and as dangerous as so many of the other things that these "liberals" applaud. Is this decision to mean that every time the police wring a confession from a murderer, he is merely to state that the confession was obtained improperly, and thus gain a new trial and a lot of time? Every lawyer knows that time is the greatest ally that a criminal can have in his effort to defeat justice. The state denied that Canty was mistreated in any manner, or that he was coerced into signing a confession. The negro says that he was mistreated, and when it comes to accepting the word of a negro defendant as against the word of the law enforcement officers of a Southern city, the supreme court naturally takes that of the negro. In this Canty case, we had the astonishing spectacle of the supreme court acting without even giving the state of Alabama a chance to present its case!

Will this February 12 decision not eventually prove a millstone, instead of a milestone, for justice? Already we have the worst homicide record of any civilized country on the face of the globe—and it is largely due to the namby-pamby attitude taken by our courts. Will decisions such as that of February 12 improve that record, or make it worse? You know the answer; we all know it. You also know that decisions such as these will tend to nullify the work of those who have argued with increasing force in recent years that the administration of the law must be left to the courts and not to private citizens. Our courts are being converted into mere debating societies; justice is being hanged higher than Haman.

The Fairfield Affair

This country is supposed to be one of freedom, where civil liberties are respected and due processes of law are observed. And in general it is such a country. But occasionally, here and there, in one way or another, there is a departure from these American principles.

Such a departure has come to light in Fairfield, where a Negro, arrested in connection with a fight with a white man, was severely beaten in the Fairfield jail and then shot to death. All statements of witnesses revealed that this happened, although there are some differences in the accounts of how it happened. The exact manner of its happening is not greatly important, for surely in a police station, with several officers present, an unarmed Negro, no matter how obstreperous he might have been, could have been handled without being shot to death, or even being beaten with a blackjack.

Yet the testimony shows that the man with whom the Negro had the fight leading to his arrest — a civilian — was permitted, in the City Jail, to strike the prisoner repeatedly with a leather strap. According to the man's own testimony, he "hit this Negro in the face with this strap for about a minute and a half as hard as I could."

Then some of the officers struck the Negro a number of times with a blackjack and a leather strap. After a time there was a scuffle between the Negro and one of the officers, and the Negro was fatally shot.

The officer accused of shooting him is under bond on a first degree manslaughter charge, and is under suspension from the Fairfield Police Department for 30 days.

Mayor Gilley asked that this officer and two others involved in the affair be dismissed "for conduct unbecoming officers"; the City Council refused to do so by a five-to-four vote.

There is already evidence of strong resentment of this treatment and of the Council's attitude on the part of the people of Fairfield. We believe this attitude will be shared by the majority of the people of Fairfield, as well as of Birmingham and this whole area. Mayor Gilley's stand deserves the solid support of the City Council.

To Fairfield's Credit

Much unpleasant notice has come to our neighboring community of Fairfield as a result of the beating and fatal shooting of a Negro prisoner in the City Jail, and the subsequent defeat in the City Council of Mayor Gilley's move to discharge three police officers who were involved in the case.

Now, however, Fairfield has performed its duty in this case. After an investigation by a committee, the City Council has reversed itself and has voted to discharge two of the three policemen for conduct unbecoming officers. The investigating committee recommended that the Civil Service Personnel Board conduct an investigation into the case of the third officer. And, of course, the two who were discharged have the right of appeal to the Personnel Board.

This is appropriate action in an ugly situation, and the Fairfield City Council is to be commended for having the courage and the good sense to reverse itself when it saw where its duty lay. But especially is high praise due Mayor Gilley, who took a courageous stand at the beginning and stuck to it throughout.

We have believed all along that the people of Fairfield would uphold the mayor in this stand. It is to their credit that their city authorities have now done what unquestionably should have been done.

This affair, of course, is not ended. One of the three officers is charged with manslaughter, and his case must be tried. No doubt there will be action also by the Civil Service Personnel Board. But the authorities of Fairfield have done their duty in this case.

Negro Leaders Check Holding Of Protest Meeting At Church

Understood That Group Was To Have Discussed O'Dea Henderson Slaying

Refusal of Negro church leaders to permit a group of their race to use church buildings yesterday afternoon prevented a protest meeting of Fairfield and Birmingham Negroes called to discuss the shooting of O'Dee Henderson 10 days ago by a Fairfield police officer.

Mayor C. N. Gilley said the Negro church leaders declined to permit the crowd to use the church building although the meeting had been set and the use of the building authorized before the slaying occurred.

It could not be learned definitely but competent authorities said the church building had been promised, but prior to the meeting handbills had been circulated in Fairfield saying the meeting would be in the form of a protest meeting.

Mayor Gilley said the responsible Negroes of Fairfield cooperated to the utmost to insure peaceful relations between whites and Negroes in the district.

At the same time, the Grand Jury in the Bessemer cut-off began routine sessions at which the slaying and reported whippings of prisoners in the Fairfield jail will be investigated.

Henderson was shot to death at the jail nearly two weeks ago. Mayor Gilley recommended that Thomas Nelson, the officer now under $1,500 bond on mauslaughter charges for the slaying of Henderson, and two other Fairfield officers be dismissed for their part in the beating and slaying of Henderson. His recommendation was voted down, 5 to 4 by the Fairfield City Council.

Murder In Second Degree Laid To Four In Fairfield Shooting

Trio Officers, Citizen Indicted By Grand Jury In Death Of Prisoner

Murder in the second degree was the charge in the indictments under which three Fairfield policemen and a resident of that city were arrested this morning and held for $2,500 bond in the shooting of O'Dee Henderson, Negro, who was killed about two weeks ago while a prisoner at the Fairfield city jail.

The indictments were returned by the Grand Jury in the Bessemer Cutoff and the four men were arrested this morning and placed in the county jail at Bessemer by Chief Deputy Sheriff Clyde Morris.

The officers were W. G. Cook, Thomas Nelson and W. T. Glenn, while the citizen was L. M. Haygood.

Officer Cook made bond shortly after he was arrested.

Nelson, who actually fired the three shots which took the life of the Negro, and Glenn, were dismissed from the police force at a meeting of the Fairfield City Council Wednesday. Action on Cook's case was referred to the Civil Service Board. Haygood is the man with whom the Negro engaged in a fight prior to the Negro's arrest.

The indictments were the most recent episode in the affair which has claimed the interest of citizens and police officers, not only of Fairfield but of the entire county and state.

At an earlier meeting of the Fairfield Council that group voted down, 5 to 4, recommendations of Mayor C. N. Gilley that the three officers be dismissed from the force. Two members of the council were not present at the time.

At the next regular meeting of the council the matter came up again and a special committee was named to investigate the slaying. At their report to a special meeting of the council the two officers were dismissed.

Officer Nelson was already under bond on a first degree manslaughter charge contained in a warrant sworn out by Asst. County Investigator T. J. McCollum after his investigation of the shooting.

The Henderson Negro was arrested by Officer Glenn upon the complaint of Haygood when the latter charged the Negro struck him several times near the entrance to the Fairfield steel plant. In his story of the arrest Officer Glenn said he "slapped" the Negro in the face with his gloved hand when the Negro was impudent at the time of arrest.

Haygood, in his statement concerning the affair, said he struck the Negro in the face with a leather strap several times in the presence of all three of the officers at police headquarters.

Officer Nelson claims he shot the Negro when the latter attempted to seize his blackjack and make a break for liberty.

The slaying has caused considerable comment and for a time threatened difficulties between the races in Fairfield. Mayor Gilley's demand for disciplinary action against the officers did much to relieve the tension. Dismissal of the officers is subject to final action by the Civil Service Board in case the officers appeal the decision of the council. Nelson has already announced he will do so.

Four Charged With Jail-House Murder

By Associated Press

FAIRFIELD, ALA., May 24.—Three police officers and a white citizen were indicted on first degree murder indictments today in the jailhouse shooting of O'Dee Henderson, negro.

Bonds were fixed at $2,50[illegible]

G. Cook, Thomas Nelson and W. T. Glenn, patrolmen, and M. M. Haygood, who testified at a city council investigation that he fought with the negro before they were brought to city jail.

Nelson and Glenn were dismissed from the Fairfield police department by the city council after investigation of Henderson's shooting. At a coroner's inquest, Nelson said he shot Henderson after the negro attempted to seize his blackjack.

Four Indicted In Alabama Jailhouse Manslaughter

Ala. Cops Tell Of Anti-Negro Terror Reign

Murder, Torture Admitted in Testimony Before City Council

(Special to the Sunday Worker)

BIRMINGHAM, Ala., May 18.—A story of savage lynch terror against the Negro people carried out by the police department of a company-dominated Alabama steel town was unfolded this week in the testimony of the officers themselves before a public session of the City Council of Fairfield, Ala. At least 50 cases of inhuman torture of helpless Negro prisoners and the deails of one cold-blooded murder was revealed by the testimony.

Fairfield, inhabited principally by steel workers, is a typical company town. An industrial suburb of Birmingham, its economic and political life is completely dominated by the Tennessee Coal, Iron and Railroad Co., a U. S. Steel subsidiary.

The story was brought to light by the sensational murder of a Negro, O'Dee Henderson, at police headquarters. Henderson was arrested on the complaint of M. M. Hagood, a white citizen of Fairfield who complained that Henderson had bumped into him on the street. Henderson was taken to police headquarters where officers permitted the white complainant, Hagood, to beat him mercilessly with a strap. The police officer, Thomas H. Nelson, also beat the helpless negro prisoner with a blackjack.

When Henderson, crazed with pain, attempted to protect himself from further torture by wrestling with the officer and taking the blackjack away from him, police officer Nelson drew his gun and fired three times, killing him.

Protests of an outraged community at this brutal murder compelled a reluctant City Council to hold an open hearing, at which the police officers who testified not only admitted beating Negroes themselves but stated that torture of Negro prisoners was a routine practice of the Fairfield police force, including E. L. Allman, chief of police.

W. R. Sims, chief deputy of the Tennessee Coal, Iron and Railroad Co., was allowed to strike a Negro prisoner five or six times with a flashlight, breaking the flashlight with the force of the blows, one witness revealed. The Negro victim was seated in an automobile, in police custody.

One Negro prisoner in the Fairfield jail was whipped so mercilessly by Fairfield police officers that he had to be held in the city jail for two or three days after the time when he should have been transferred to the county jail, to allow his wounds to heal.

Public indignation has compelled Mayor C. N. Gilley of Fairfield to suspend officer Nelson for the murder and recommend that he, with two other officers who took part, be dismissed from the police force. The City Council, however, voted 5 to 4 against dismissing the other two officers.

One of the councilmen who voted against dismissal explained his vote by saying that the officers under fire were no more guilty than the rest of the police force and he could vote to fire them only if the entire personnel of the Police Department was dismissed.

It is this same councilman, W. E. Brown, who stated at the hearing that he knew of 50 cases in which Negroes had been beaten at the Fairfield jail and that it was a common practice.

Local citizens, outraged by the action of the city council in refusing to dismiss officers who had admitted in the open hearing that they tortured Negro prisoners, pointed out that this condition in the city jail and in city police force could not have grown up without the knowledge of Mayor Gilley and the members of the City Council.

The case is regarded here as a dramatic demonstration of the fact that lynching has not disappeared, but has gone "underground," and that lynch terror is being carried on by the very local officials who Southern reactionaries assure Congress are ready to stop lynching.

Protests should be addressed to Mayor C. N. Gilley, Fairfield, Ala., and to local congressmen, demanding federal investigation of the Fairfield police department, prosecution of the guilty officers, and immediate enactment of the federal Anti-Lynching Bill.

3 Officers Named In True Bills

Fairfield Council Votes To Discharge Two Policemen

BIRMINGHAM, Ala. — (SNS)— The Bessemer Grand Jury late Thursday returned true bills charging four persons, three of them officers, with second degree murder in connection with the May 8 jail house slaying of O'Dee Henderson.

Indicted were Officer W. T. Glenn, who arrested the victim; Officer W. G. Cook, in charge of the Fairfield Police Station (scene of the shooting) at the time of the incident; Officer Thomas Nelson who actually shot Henderson to death, and M. M. Haygood, civilian, who participated in the beating. Each was placed under $2,500 bond. Nelson was originally charged with manslaughter and placed under a $1,500 bond.

OFFICERS DISCHARGED

The Fairfield Council yielded to public opinion Wednesday, voting 5 to 4 to discharge two of the three police officers connected with the slaying. Originally the council refused to take dismissal action against any one of the officers, but public indignation ran so high when the press published surrounding facts in the case and the written testimony of the officers that a second consideration was given the case.

On special recommendation of a special investigating committee Officers Nelson and Glenn, adjudged guilty of conduct unbecoming an officer after the reported beating and subsequent shooting of a prisoner, were ordered dismissed by a majority vote of the Council.

Mayor Claude N. Gilley, many times praised for his expert handling of the "mess", dissented from the five-man committee on recommendation that the Civil Service Personnel Board launch an investigation into the action of a third involved police officer W. G. Cook and that the board make its own recommendation, bringing in a minority report calling for firing of Officer Cook. The mayor is quoted: "I am not a member of this council but I still have my veto power".

MOTION FOR REMOVAL

Committee Chairman Robert L. Green, one of the minority councilmen voting to discharge the officers at the first meeting, made the motion to remove the two officers from the police employment.

Discharged Officer Tom Nelson, firer of the three death bullets, speaking in his defense, protested in a statement to the council that their decision should come after "the grand jury investigation in Bessemer is completed". The two discharged officers, Nelson and Glenn, have the right to ask a hearing before the Civil Service Personel Board, provided the request is made within ten days of the dismissal. Officer Nelson indicated that he would file appeal.

O'Dee Henderson, was brutally slain, a report claims, by Officer Nelson after the officer said Henderson tried to take his blackjack. The victim had been severely beaten with a blackjack and leather strap. Three officers of the law and a private citizen were present during the flogging, reports disclose.

The Fairfield Negro Civic League sanely brought the matter of the death of Henderson to the attention of Fairfield authorities and successfully promoted a campaign of public enlightment on the incident. The local press showered down on the case and demanded full and satisfactory justice

Alabama Daily Hits Police Brutality Toward Race

One Man Shot To Death and One Beaten

Whites Demand "Something Be Done About It"

MONTGOMERY, Ala.— (ANP) —Never, within the memory of the oldest Montgomery resident, has the white citizenry here been more incensed than at present, over the brutal treatment of Negroes by members of the police force who seemingly take advantage of every opportunity to go down to the Negro section and crack a few heads."

The whole situation was smoked out in the open last week when the officers made the mistake of picking two victims who were respected members of the community and who had scores of influential white friends. Following a barrage of letters and numerous visits from these kindly-disposed whites, the Montgomery Advertiser last week, blasted out editorially against brutal police methods and the black stain cast upon the City's escutcheon.

"There is considerable indignation in Montgomery over the fact that within a period of less than two weeks policemen have shot to death one Negro man and that one other died under mysterious circumstances in a cell in the city jail. His head was crushed, by whom one does not know. Another was shot in the arm.

"The death of Nep Rowland, the diminutive, ill-figured Negro who died in the cell of the city jail has brought this indignation to the boiling point. In consequence of it, citizens are protesting to Colonel Screws, commissioner of police, about this and other disturbing incidents about which they have heard. These citizens have appealed to the Advertiser to raise its voice once more in behalf of justice and common decency. Some of them have called by this office to discuss these deplorable incidents, others have written indignant letters. . .

FAIR DEAL DESIRED

"The Negro leadership of the community, the intelligent, well-disposed Negro citizens who desire only a fair deal at the hands of their white neighbors and friends, would certainly be the last among us to deny the necessity of firmness upon the part of law officers in dealing with large numbers of backward, undisciplined and often criminally disposed Negroes. That type of Negro is as much of a burden and source of grief to the sensible and decent people of his race as he is a problem to officers of the law.

"Responsible Negro leaders and good Negro citizens who are not in positions of leadership constantly counsel their people to observe the law, to deport themselves acceptably to their neighbors, white and black. They cooperate to the best of their ability with the city government and all of its agencies to repress the lawless, rowdy and ignorant members of their group.

"We say that the orderly, high-minded Negroes of this community give more than they receive to the cause of good deportment in this community for the reason that there are some men on the police force of Montgomery who show them no more respect and courtesy than if they were outlaws and bums.

"Such is our confidence in the character, the courage and the instinct of William Preston Screws that we do not hesitate to appeal to him to—

"Instruct his men, high and low, in the principles of common decency and common courtesy in their relations with all citizens regardless of color, and to—restrain his men from wantonly killing, assaulting and insulting "niggers," and to—abstain from defending brutes who night after night are bringing his department into popular disrepute.

"Let Colonel Screws drive the baboons back to their jungle! They have no place in the public service of a civilized community here in the Deep South."

Expect Grand Jury To Probe Police-Slaying

First Degree Murder May Be Charged

BIRMINGHAM, Ala.—(SNS) The Bessemer Grand jury met yesterday and was expected to take up the Fairfield police-slaying during the week. Fairfield colored and white citizens expected the jury to return a true bill of first degree murder against Officer Tom Nelson, who fired three bullets into the body of 24 year old O. D. Henderson on May 9 after placing him under arrest. Citizens also were were making efforts to secure indictments for other officers as well as the citizen who participated in the beatings.

Attorney George Ross, of Bessemer, and Attorney Shores, plus a committee of Fairfield citizens, are handling the case for Jefferson County citizens. Feeling continued to run high in many sections of the county but leaders in the controversy were able to prevent any racial trouble. A meeting scheduled by the Southern Negro Youth Conference was called off because of the tense feeling in Fairfield when it was discovered that threats had been made by some unknown persons by phone to the police department of Fairfield.

CLAIM FIGHT BETWEEN MEN

M. M. Haygood, Fairfield citizen, was said by plant workers to have precipitated the fight that took place with Henderson inside of the sheet mill. It was said that both men worked at the same plant and because of company rules against employees fighting on the job it was stated earlier that the two men did not work together. Fellow workers state that during lunch hour Henderson attempted to sleep and Haygood covered his foot with trash and set it afire. In an effort to learn the identity of the person who "hot-footed" him, Henderson used several "curse words" and the men were said to have fought with Henderson and in turn called for a Fairfield officer who met the two men at the gate at 7 a.m., arresting Henderson.

The Fairfield civic league was said to have been refused admission to Jones Chapel last night although officials stated late yesterday that a final effort would be made to secure the church for their regular meeting. Plans also called for the raising for funds.

Officers who participated in the beating and were present during the slaying have not appeared on the "heights" and Negro citizens declare that they will not permit themselves to be arrested by any of the participating officers until the case is cleared up to their satisfaction. Only the Mayor, the Chief of Police and Council members who voted to suspend all participants and other citizens in the community not involved had the respect for Negroes.

THREATS RECEIVED

Two of the members of the six-man Civic League Committee were threatened and advised to "lay off" the case" by phone last week. Neighbors were informed of the threats and keep a watch over their homes The members receiving the threats showed little interest in them stating that their efforts to see full and complete justice done before they rested.

One of the committee members pointed out that no general feeling against any group in the entire community existed and was proud of the fact that the entire community, both white and colored, had expressed itself in favo of punishment for all of the guilty

PROTEST LEADS DAILY PAPERS TO ASK ACTION

Prominent Citizens Cite Murder, Clubbing Of 3 Men In Week

MONTGOMERY, Ala.—(ANP)—Never, within the memory of the oldest Montgomery resident, has the white citizenry here been more incensed than at present, over the brutal treatment of Race members by the police force who seemingly take advantage of every opportunity to go down to the Race section and "crack a few heads."

The whole, nasty situation was smoked out in the open last week when the cops made the mistake of picking two victims who were respected members of the community and who had scores of influential white friends. Following a barrage of letters and numerous visits from these kindly-disposed whites, the Montgomery Advertiser last week, blasted out editorially against brutal police methods and the black stain cast upon the city's escutcheon.

The Advertiser called upon Col. William Preston Screws, commissioner of police and fires, to rid the department of these race-hating cops and "drive the baboons back to their jungle." Advertiser's splendid editorial said in part:

"There is considerable indignation in Montgomery over the fact that within a period of less than two weeks policemen have shot to death one Negro man and that one other died under mysterious circumstances in a cell in the city jail. His head was crushed, by whom, one does not know. Another was shot in the arm.

Citizens Appeal

"The death of Nep Rowland, the diminutive, ill-figured Negro who died in the cell of the city jail has brought this indignation to the boiling point. In consequence of it citizens are protesting to Colonel Screws, commissioner of police, about this and other disturbing incidents about which they have heard.

"These citizens have appealed to the Advertiser to raise its voice once more in behalf of justice and common decency. Some of them have called by this office to discuss these deplorable incidents, others have written indignant letters. But the writers of the letters request that their names be omitted. Others naturally are reluctant to go further than to plead with Colonel Screws and the Advertiser to 'do something about it.'

Ask Fairplay

"The Negro leadership of the community, the intelligent, well-disposed Negro citizens who desire only a fair deal at the hands of their white neighbors and friends, would certainly be the last among us to deny the necessity of firmness upon the part of law officers in dealing with large numbers of backward, undisciplined and often criminally disposed Negroes.

"That type of Negro is as much of a burden and source of grief to the sensible and decent people of his race as he is a problem to officers of the law. Responsible Negro leaders and good Negro citizens who are not in positions of leadership constantly counsel their people to observe the law, to deport themselves acceptably to their neighbors white and black. They cooperate to the best of their ability with the city government and all of its agencies to repress the lawless, rowdy and ignorant members of their group.

"We say that the orderly, high-minded Negroes of this community give more than they receive to the cause of good deportment in this community for the reason that there are some men on the puolice force of Montgomery who show them no more respect and courtesy than if they were outlaws and bums. This isn't a rhetorical flourish but a simple statement of fact which every honest citizen of Montgomery knows to be true.

"Let Colonel Screws drive the baboons back to their jungle! They have no place in the public service of a civilized community here in the Deep South."

Coroner Orders Probe Of Death

BIRMINGHAM, Ala.—(SNS)—Coroner City M. Evans yesterday ordered an investigation into the death of Will Brown, who was shot to death in Ensley Saturday night while on duty as night watchman at a house owned by a Negro Patrolman R. R. Chambers stated, according to the coroner, that he fired after ordering the man to drop his pistol four times while reports conflict in stating that the slain man never pulled his pistol. The owner of the house stated that he had not phoned for officers while police state that the call was received by Ensley officers from neighbors who wondered why a man was staying in the vacant house at night. The watchman was slain in a back room. Buriel plans had not been completed, according to Shortridge.

SLAYER OF TWO DIES IN PRISON

Willie Peterson, Figure In Jefferson Killing, Succumbs At Kilby

(From Yesterday's Final Edition)

Willie Peterson, Negro, serving life sentence at Kilby Prison, Montgomery, for the slaying of two Birmingham women and the wounding of another in August, 1931, died yesterday in the prison hospital following a long illness.

The body will be sent to Birmingham.

A Jefferson County jury sent Peterson to prison for the pistol slaying of Miss Jenny Wood and Miss Augusta Williams and for the wounding of the latter's sister, Miss Nell Williams, now Mrs. Louie Reese.

The double slaying—one of the most sensational in Jefferson County's crime annals—occurred Aug. 4, 1931, at Shades Mountain on the old Leeds Highway.

Miss Augusta Williams died at a local hospital several hours later. Miss Wood died several days later.

Some weeks after the tragedy as she was riding to Elmwood Cemetery, Miss Nell Williams saw a Negro whom she immediately identified as the killer. The Negro whom she identified said he was Willie Peterson.

Peterson, protesting his innocence, was placed in Jefferson County Jail. On Oct. 2, 1931, Peterson was shot as he was in his cell and Dent Williams, bother of Miss Augusta and Miss Nell Williams, was indicted on a charge of assault with intent to murder. Williams was acquitted at his trial. Peterson recovered from the pistol wound.

The jury disagreed at Peterson's first trial and a mistrial resulted. Late one Saturday night at his second trial the jury brought in a verdict of death.

Twelve B'ham Homicides During June

BIRMINGHAM, Ala.—(SNS)—Homicides involving Negroes were responsible for an alarming increase in the violent death rate over Jefferson County during the month of June when more than 12 Negroes met death by violence during this month in comparison to a record of two set by whites. This was a jump of eight deaths over a similar period last year.

Suicide among both groups were conspicuously absent from the report of June, 1940, in comparison to a record established during 1939 when six suicides—all involving whites— and ten accidental deaths. No suicides were chalked up last month.

Alabama's Homicide Rate Near Top In '38

Only three states had higher homicide death rates in 1938 than Alabama, according to information received by the State Department of Health from the Bureau of the Census of the U. S. Department of Commerce and made public Tuesday.

The Alabama rate of 18.3 a 100,000 estimated population was exceeded only by those for Florida, Georgia, and Mississippi. The Alabama rate was also more than two and one-half times that of only 6.8 a 100,000 estimated population for the United States as a whole.

The Florida rate of 24.6 a 100,000 estimated population was the highest shown for any state, while that of only 0.9 a 100,000 estimated population for South Dakota was the lowest for any state.

The rate for the United States as a whole was computed on the basis of 1938 population estimates, while those for individual states were based upon these states' population estimates for 1937, no estimates having been made for 1938.

Defendant In Peterson Case Dies

BIRMINGHAM — (ANP) — Alabama's second greatest criminal case came to an end Sunday at Kilby prison when Willie Peterson died a natural death within prison walls.

Peterson was imprisoned in 1934 when a jury convicted him for slaying Jenny Wood, and Augusta Williams and wounding Nell Williams, all white, on August 4, 1931.

Peterson was arrested after Nell Williams saw him near Elmwood cemetery and identified him as the slayer of her sister and friend. He was shot by Dent Williams, brother of the two Williams women, as he was being questioned in his cell. Dent was indicted on a charge of assault, but was acquitted.

After being shot, he battled death for weeks and recovered to face a murder charge. At his trials the jury disagreed and a mistrial resulted. But later the jury decided upon death.

The verdict didn't please the public and Governor Miller yielded to the popular sentiment that adequate proof of his guilt had not been established and his death sentence was commuted to life imprisonment.

Dothan, Ala Eagle
September 10, 1940

Severe Punishment For Negro Criminals Urged By Own Race

Petitions sponsored by the Workers Benevolent Association and signed by more than 45 Negroes and Negro organizations today urged white citizens and courts of Houston County to assist in prevention of crime among the Negro race by urging more severe punishment for convicted Negroes.

"During the past several years," the petitions said, "a large number of murders have been committed in this county by our people and as a general proposition the perpetrators of these crimes have suffered, in our opinion, too little punishment, and as the result thereof crime is increasing.

"The law enforcement officers and the officers of the courts have faithfully discharged their duties, and this is not a criticism of any one; but we respectfully submit that the only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law in their own hands. We realize that the white citizens of this county are the only ones who can give us relief, and we plead with you to do so."

Those signing the petitions declared: "We, the undersigned colored citizens and organizations of Houston County, respectfully call on you for help in the further prevention of crime, especially murder, by the people of our race."

Circulators of the petitions said copies would be presented to Circuit Judge D. C. Halstead; Judge Saxon P. Poyner of county court; Judge Claude T. Cotton of Court of Common Pleas; and Recorder J. L. Vaughn, of police court.

Atlanta Ga Journal
October 1, 1940

A Notable Remonstrance

A GROUP of the leading Negroes of Houston County, Alabama, did an unusual and notable thing the other day. They presented to the law-enforcement officials of the county a petition deploring the tendency of courts and juries to be lenient toward Negroes accused of crimes of violence against members of their own race. They urged strict prosecution and severe sentence where guilt was proved.

They pointed out that there is an inclination among white juries in the South to accept murders and assaults of Negroes on members of their own race as incidents to be regarded rather casually, and they asserted the conviction that that tendency is an injustice to Negroes as a whole and is bound to react unfortunately on the broad question of crime and interracial relations.

No citizen can fail to accept their statement as correct and regard their argument as sound and wise. Our legal processes for the protection of society are predicated on the necessity of condign punishment as a deterrent to lawlessness, and to wink at crimes by Negroes against Negroes is to bring law into disrepute and the officers of law into disrespect.

The action of the Houston County Negroes merits general approbation and the support of all Southerners who have been striving over the years for improvement of interracial relations. It seems to be of a part with the far-sighted and courageous leadership that is asserting itself among the Negroes of Alabama, attributable in measure probably to work of education and preparation for citizenship being done at Tuskegee.

When the Gavagan antilynching bill was on the floor of the House last spring, and demagogues of one side and the other were shouting their arguments pro and con, it remained for an Alabama Negro, the principal of a consolidated school in Talladega County, to speak words that so clarified the issue as to make congressional talk seem silly prattle. This man, R. F. Holtzclaw, wrote to the *Birmingham News*, branding the sponsorship of the bill as an attempt to gain votes in the North and saying:

"Can lynching be stopped? Oh, yes, but not by legislation. And certainly not by a law that the people who run the South do not want. There is only one process that will stop lynching, and that process will stop all our other ills not only in the South but wherever man dwells: namely, education. Teach the white child to know the Negro, not as a hewer of wood and drawer of water, but as a human being with all the feelings, emotions and capabilities of a human being. Only the ignorant white, usually the youth, succumbs to mob rule; only the ignorant Negro, again usually the youth, becomes the victim."

Watchman Is Given Five Years In Slaying

NOV 13 1940

A jury in Circuit Judge J. Russell McElroy's court Wednesday convicted Mack Hunter, 72-year-old Negro watchman, on a charge of first degree manslaughter in the fatal shooting of a Negro woman May 12 and fixed his punishment at five years in prison.

The case is one in which Judge H. B. Abernethy discharged the defendant on preliminary hearing because he believed an F. B. I. report linking the fatal bullet to a gun owned by the defendant was "a little too fine" for him.

D. J. Parsons, F. B. I. ballistic expert, testified at Tuesday's trial that the bullet taken from the body of the dead woman, Rosa Lee Cox, of 401 Twenty-Third Way, South, had been fired from a pistol which Police Officers E. A. Wilson and H. L. Thompson testified they took from Hunter when they arrested him.

City Detectives W. M. Espy and Jack Bryant testified they found powder burns around a hole in the door of the house where the shooting occurred, and they learned the defendant had left the room shortly before the shooting occurred.

According to Asst. Solicitor Jim Long, who prosecuted, the defense admitted the fatal bullet was fired from Hunter's pistol, but contended the weapon had been taken from him while he was asleep and returned after the shooting.

Birmingham, Ala News
October 28, 1940

AN INJUSTICE

A group of Houston County Negroes recently brought to the attention of the entire state a condition about which something should be done. They presented to the law enforcement officials of the county a petition deploring the tendency of courts and juries to be lenient toward Negroes accused of crimes against members of their own race. They urge strict prosecution where guilt was proved.

The point the Negroes made in the petition is well taken. There is a tendency, they said, among white juries in this section to accept casually crimes committed by Negroes against Negroes. As the petition pointed out, such an attitude is an injustice to Negroes and is bound to make for poor race relations and to react unfortunately on the broad question of crime.

The action of the Houston Negroes merits the approval of all right-thinking Southerners. To refer to a Negro murder as "just another Negro killing" is to bring law into disrepute and is a serious injustice to those members of the Negro race who pride themselves upon their regard for the law.

Negro leaders of the South are striving earnestly to educate members of their race to obey the law and to thereby contribute their part toward the protection of society. To wink at crimes Negroes commit against Negroes is to deter them in their high-minded purpose.—Lee County Bulletin (Auburn).

Argument In Pool Hall Is Fatal For Negro

NOV 30 1940

There was a goodly crowd scattered around a pool table at the Equator Pool Room, 918 Eighteenth Street, North, Friday afternoon.

A cue ball plopped into a side pocket. One of the players disputed the shot. A heated argument ensued.

One of the players, Frank Brown, 951 Sixteenth Street, North, threw down his cue stick and walked out. His opponent, Joe Baker, 31, of 1912 Fourth Avenue, South, took on another opponent.

But the argument wasn't over as far as Brown was concerned. Several minutes later he returned with a pistol and shot his opponent four times, three of the bullets lodging near the heart. He died instantly.

A warrant charging murder was to be sworn out Saturday by city detectives.

Ala. Slayer Gets Life in 2nd Trial

Afro-American

DEC 21 1940

MONTGOMERY, Ala.—(ANP)—A two-year-old murder case was closed here Wednesday in Judge Carter's circuit court when a jury found Dave Canty guilty of the murder of Miss Eunice Ward, white, Montgomery health nurse and sentenced him to life imprisonment.

At the first trial in June, 1938, a jury decreed the death penalty but Canty's counsel secured a new trial on appeal to the U. S. Supreme Court.

Under the high court's ruling, an alleged confession by Canty used at the first trial was declared inadmissible at the second hearing because it had been obtained by keeping the defendant in solitary confinement and by duress.

One of the State's star witnesses at the second trial was Mrs. Hattie Howard, an elderly fortune teller, who told of a visit made to her house by Canty shortly after the crime was committed two years ago, last March.

Mrs. Howard said Canty admitted "hitting the big woman first," referring to the attack on Miss Ward and her sister, Lillian, in a thicket near the Masonic home, as they were picking flowers.

The State also introduced three boys who identified Canty as the man they saw running from the thicket on the afternoon of the crime.

Husband And Father Offering $100 Reward In Slaying Of Woman

Birmingham News

Birmingham, Ala.

DEC 24 1940

The person who Sunday night pulled the trigger of the .25 caliber gun that shot Wyolene Foulkes in the back Tuesday had a $100 reward on his or her head.

The bullet caused instant death to the Negro woman who lived at 1415 Fourth Place, North, and who was seeking medical aid for her ill husband at the time of her death at Fourth Place and Twelfth Court, North.

Her body was found lying in the street after residents of the section heard a shot.

Detectives A. J. Bryant and W. M. Espy, who are investigating, said half the reward money was posted by Allen Jones, the woman's father, the remaining $50 by her husband. The detectives will be the judges in determining to whom the reward money goes in event several tips on the slayer are given.

Former Employe Is Shot At Hillman

Birmingham News

Birmingham, Ala.

DEC 28 1940

The busy life of Birmingham's metropolitan hospital, the Hillman, was shadowed Saturday morning when one of the hospital's former employes, James Coachman, Negro, of 730 South Nineteenth Street, was shot in the abdomen by one of the hospital's deputies directly outside the offices of Dr. J. W. McQueen, hospital superintendent.

Dr. McQueen said Coachman left the services of the hospital two weeks ago after he was caught stealing food and other supplies from the hospital's kitchen. He left after the deputy, L. K. Bowen, had attempt to apprehend him in the affair which took place in the kitchen two weeks ago. The Negro had not been seen since.

Saturday morning Bowen said he walked into Dr. McQueen's office and saw the Negro trying to obtain money for back services. Bowen said the Negro, upon sighting him, began edging toward the door and when he was accosted by the deputy, began fighting with his fists.

In the melee, Bowen said he pulled out his revolver and shot the Negro in the lower right side of the abdomen just as the Negro was going down the hall.

City Detectives McCoy Helton and R. G. Shirley are investigating the shooting.

Hospital authorities said the Negro's condition was not considered serious.

Officers Helton and Shirley later announced they would swear out a a warrant charging Coachman with grand larceny.

Coachman told investigators he came to the hospital Saturday morning to get his pay check and he had been sitting in the office along with Bowen and others. When he got up, Coachman said, Bowen shot him.

Suspect Allegedly Confessed

Dice Player Is Queried in Slaying Of Mrs. Howard

Daily World 7-14-40

TUSKEGEE INSTITUTE (ANP)—The arrest Saturday of Alph Adams who lives on Brickyard Hill has rekindled interest in the unsolved slaying of Mrs. Henry Howard here, the wife of the storekeeper in Greenwood. Mrs. Howard was reportedly shot by a marauder attempting to rob the store, but the murderer was never caught and the case was finally dropped.

According to reports, Adams became angered while playing dice on the "Hill" and later, being upbraided by his wife, shouted at her: 'I killed one women, and I'll kill you!" Someone reported the incident to police and Adams was arrested.

Later, Adams is reported to have confessed to police that he had killed Mrs. Howard for pay—that he was promised $500 to commit the crime, but was only paid $10. It was said he accused Howard, the victim's husband, as the one who had hired him, but this remained unverified.

Neighbors living near the store, however, reported that police conducted an investigation at the place as a result of Adams' charges. Howard, it is said, protests his innocence and disclaims any knowledge of the matter.

Mobile, Ala. Press
July 3, 1940

Death of Colored Doctor Is Probed

Circumstances of the death of Dr. M. G. Edmonds, colored physician, reported to have been found dead in his automobile Monday night was being investigated by the sheriff's department today.

Results of an autopsy performed on the body at City Hospital Tuesday night was awaited by the sheriff's department.

Mobile, Ala., Register
August 2, 1940

Colored Man To Face Manslaughter Hearing

Hearing of the mansluaghter charge brought against Howard Johnson, colored, of 161 North Lawrence Street, in connection with the fatal shooting of Frank White, alias Frank Smith, colored, will be held this morning before Recorder Norvelle R. Leigh, III. White died of a bullet wound Wednesday night at the City Hospital. He was shot Saturday night.

Arrest of Dice Player Revives Murder Case

Amsterdam News 7-20-40 Newspaper

TUSKEGEE INSTITUTE, July—(ANP — The arrest Sunday of Alph Adams who lives on Brickyard Hill has rekindled interest in the unsolved slaying of Mrs. Henry Howard here, the wife of the storekeeper in Greenwood. Mrs. Howard was reportedly shot by a marauder attempting to rob the store, but the marauder was never caught and the case finally dropped.

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Neighbors living near the store, however, reported that police conducted an investigation at the place as a result of Adams' charges. Howard, it is said, protests his innocence and disclaims any knowledge of the matter.

Promised $500 To Kill Woman; Only Collected $10, He Says

Pittsburgh Courier 8-17-40

TUSKEGEE INSTITUTE, July 18—(ANP)—The arrest Sunday of Alph Adams who lives on Brickyard Hill has rekindled interest in the unsolved slaying of Mrs. Henry Howard here, the wife of the storekeeper in Greenwood. Mrs. Howard was reportedly shot by a marauder attempting to rob the store, but the murderer was never caught and the case was finally dropped.

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CONFESSION REPORTED

Age-Herald

Solicitor Says Slaying Admitted By Mobile Man

MOBILE, Ala., Aug. 12—(AP)—Circuit Solicitor Bart B. Chamberlain announced today Clifford Curtis, alias "The Candy Man," 60-year-old Negro, had signed a confession to the robbery-slaying of an unidentified elderly white man whose body was found in woods near Citronelle Saturday night.

The Negro, Chamberlain related, admitted he lured the man, known to him only as Pat, from a Citronelle railway depot to nearby Chautauqua Lake last Tuesday.

The Negro was quoted as saying 'Pat" was drunk and stretched out on the ground to sleep. Chamberlain said Curtis told him he beat the man to death with a pine sapling. The robbery netted 2 cents, a pocket knife and a guitar, he added.

Southern Lynchers Write 'Finale' to Horror Story

With Prison Torture Death of Willie Peterson, Nightmare of Lynching Continues Uabated Against Negroes in South

Daily Worker

By Angelo Herndon

The finale of a great American crime ended on a high note during the month of June with the pras the word: "DECEASED!"

A good title for a great drama for any American dramatist who has nerve enough to attempt the job. The story is typically American and quite in keeping with la vapitus American pastime. Plot construction is simple and easy, certainly far more simple and easy and true to the facts than all the drivel ever dumped on the public by "Gone With the Wind" and "Birth of a Nation."

Time: Aug. 3, 1931.

Place: Birmingham, Alabama.

Opening scene of first act: Newspaper account:

"Shades Valley, Birmingham. In this exclusive section of Southern white aristocracy, three beautifully attired Southern white belles are motoring on the afternoon of Aug. 3, through this mountainous area, known for its private affairs of the heart betwween the wives and husbands of prominent white citizens.

"As their automobile winds with rapid speed around the huge mountains, suddenly a figure (later described as being a tall, light brown Negro with clean shaven face and a heavy mustache) leaps from the woods onto the running board of their car. The three occupants are ordered by the 'Negro' to halt the car. They are directed through the woods to a very quiet spot, where they are held captive at the point of a shining revolver.

"The three Southern ladies are terrified and all worn down with fatigue and boredom after having been subjected to an hour's lecture on 'how the white folks treat Negroes,' 'social equality, and 'Communism.' Nell Williams, heroine of the three, could stand it no longer. She plunged forward and engaged in a great scuffle with the 'Negro' who opened fire, seriously wounding two of the girls who died later in the hospital. Nell escaped with slight wounds."

IF YOU HAVE TO KILL ALL

Second scene: Police Headquarters—evening of Aug. 3, 1931: "Calling all cars. Three white girls shot by a Negro in Shades Valley. Be on the lookout for fall, light brown Negro with heavy mustache. Get him if you have to arrest or kill all Negroes of Birmingham. The man is a dangerous criminal and carries a gun."

Night fell on Birmingham like a pall and as the shadow of darkness engulfed the steel and coal town the life of one innocent Negro had already been rubbed out by bullets from a policeman's revolver. Three other Negroes were beaten to a pulp and told to go home. At the break of dawn two of the three mutilated victims, Charles Horton of 3110 Twenty-Seventh Ave., and James Jennett of Bessmer, were taken from their homes and shot. Jennett was shot three times in the stomach and Horton in the neck.

Ed. Edwards and his cousin were shot as they jumped off a moving freight train. Edwards was killed instantly. That same day a Negro cafe in Woodlawn was bombed by white hoodlums and a group of Negroes standing on the street were fired on by a carload of whites.

The next day a 16-year-old boy was lynched in Heynesville, Alabama. As innocent Negro blood had already painted the streets of Birmingham red, the white newspapers howled and raged with unabated fury: "Get the Black Criminal!" An order was issued from the police department to arrest and interrogate all Negroes traveling to and from Birmingham. The terror against Negroes spread so far and wide that white employers complained that the dragging of their Negro servants from their homes was interfering with their comfort.

But still the wholesale slaughter continued.

On Aug. 13, two more Negroes were shot and the dead body of a Negro woman was found on the street. By the end of the month 70 Negroes had been murdered and lynched and scores wounded. Jails throughout the state of Alabama, Georgia, Tennessee and Mississippi were overrun with Negroes who had been arrested and booked on "suspicion." I was one of the first to be arrested in Birmingham and beaten over the head more than three and a half hours with a rubberhose by three policemen.

Later, the charge of "suspicion" against me and two other Negroes was dropped after Nell Williams who, soon recovered from her wounds, failed to identify us. With the charge of "suspicion" dropped, I was appropriately booked on another charge of "vagrancy" for which I was sentenced to 90 days on the chain gang and fined $25.

Last scene of act one: A reward of $3,300 was posted for the capture of the assailant of the three white girls. The Negro businessmen of Birmingham and other Negroes with less backbone, were so frightened by the terror of police officials and hooligans, that they rushed with great haste to contribute a large sum of money for the apprehension of the criminal.

Three thousand dollars being no small sum to sneeze at, Nell Williams donned her thinking cap, and one day when she was motoring down the busy streets of Birmingham, she suddenly "recognized the Negro" who had committed the crime by a slouch hat he was wearing.

The Negro, Willie Peterson, a World War veteran, was immediately arrested, taken to jail, and within a short time, tried and railroaded to the electric chair. At the trial he produced evidence substantiating his claim that he was in the city hospital receiving treatment for wounds sustained in the World War when the crime was committed. The Judge very promptly ignored his claim and ordered him committed to the death cell.

EVIDENCE SUPPRESSED

(A letter, written by one of the girls before she died in the hospital, was recovered by the police, the contents of which were never revealed. Rumor had it that the girl had confessed the innocence of Peterson and that the three girls had become involved in some complicated love affair.)

Sometime after Peterson had been confined to jail, the brother of Nell Dent, visited him at the jail and shot him in cold blood. Dent was placed under bail and completely exonerated for this heroic act when the trial was called.

The International Labor Defense entered the case and developed a wide movement of protest against the killing of innocent Negroes and the arrest and conviction of Peterson. Police officials absolved themselves of all guilt.

"Why, why—the n . . . . . s were shot by Red agitators," they said. "The dirty Rooshian . . . .! We'll get the foreign heathens, yet."

Public pressure directed against Alabama officials forced the Governor to commute Peterson's death sentence to one of life imprisonment. For a while Peterson was confined in the horrible prison camp at Wetumpka, Alabama, after which he was transferred to Kilby at Montgomery, where five of the innocent Scottsboro boys still languish.

FINALE

Last act, last scene: Peterson, too old to stand up under the hard work to which he had been assigned suffering from the pistol wound inflicted upon him by Dent Williams and needing constant medical care was kept at Kilby Prison, where he was subjected to the most gruesome tortures.

For years he suffered and lingered on behind the dark walls of Kilby the innocent victim of a great American crime. The drama of this tragedy had waned with the years. But his tortures only grew worse as the finale to this tragic crime of lynch justice was being prepared.

Apparently Alabama prison officials are masters in the art of such dramas. Last week or some time during June, the final curtain was drawn and the case and life of Willie Peterson was ended forever as the warden at Kilby scrawled on the face of a letter which contained a money order sent to Peterson by the ILD—

DECEASED

Court Leniency Is Deplored By Dothan Negroes

Montgomery Advertiser

Montgomery, Ala.

DOTHAN, ALA., Sept. 11.— Deploring the leniency of juries in Houston County courts in meting punishment to convicted negroes, especially in murder cases, petitions signed by more than 45 negroes and negro organizations, have been prepared here for presentation to four courts in Houston County. 9-12-40

Circulators of the petitions, sponsored by the Workers Benevolent Association, said copies would be presented Judge D. C. Halstead, of Circuit Court; Judge Saxon P. Poyner, of county court; Judge Claude T. Cotton, Court of Common Pleas, and Recorder J. L. Vaughn, city police court.

Said the petitions: "During the past several years a large number of murders have been committed in this county by our people and as a general proposition the perpetrators of these crimes have suffered, in our opinion, too little punishment, and as a result thereof crime is increasing.

"The law enforcement officers and the officers of the courts have faithfully discharged their duties, and this is not a criticism of any one; but we respectfully submit that the only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law in their own hands. We realize the white citizens of this county are the only ones who can give us relief, and we plead with you to do so.'

Youth Killed In Front Of Church By Sheriff

SEP 14 1940

BIRMINGHAM,—(ANP)—A 19-year-old youth, Manaster Matthews, was shot and killed here Wednesday by a deputy sheriff as he stood in front of a church. Allegedly engaged in a brawl with another man, Matthews received wounds in the stomach when the deputy, Homer Badger, stopped to "investigate"

Arrest of Dice Player Turns Spotlight On Old Unsolved Murder Near Tuskegee Inst.

Says He Killed First Woman After Being Promised $500 To Commit the Crime

Tells Wife He Will Kill Her, Too

TUSKEGEE INSTITUTE.—(ANP)—The arrest Sunday of Alph Adams who lives on Brickyard Hill has rekindled interest in the unsolved slaying of Mrs. Henry Howard here, the wife of the storekeeper in Greenwood. Mrs. Howard was reportedly shot by a marauder attempting to rob the store, but the murderer was never caught and the case was finally dropped.

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Later, Adams is reported to have confessed to police that he had killed Mrs. Howard for pay—that he was promised $500 to commit the crime, but was only paid $10. It was said he accused Howard, the victim's husband, as the one who had hired him, but this remained unverified.

Neighbors living near the store however, reported that police conducted an investigation at the place as a result of Adams' charges. Howard, it is said, protests his innocence and disclaims any knowledge of the matter.

COPS ARE OUSTED BY 6-3 COUNT

FAIRFIELD, Ala., May 30.—Rescinding its decision of a week ago, the Fairfield Council dealt a legal "blitzkrieg" here Thursday by voting 6 to 3 in favor of dismissing police officers Tom Nelson and W. T. Glenn, both of whom are being held on death charges in the slaying of O. D. Henderson, who was shot by Nelson in the Fairfield Jail two weeks ago.

The case attracted nation-wide attention last week when Rev. Ted Hightower, white, in a dramatic speech told council that they could not permit human being to be beaten, "no matter what the color of their skin" and demanded that action be taken against the offending officers. His speech came after they had voted to retain Nelson and Glenn on the force, vetoing Mayor G. N. Gilley's recommenda-

However, civic leaders pressed the case and following Dr. Hightower's leadership insisted that the council make an official decision on the case.

Last Thursday, after a committee report, a vote to oust the two officers was passed, while another investigation was started to determine if W. C. Cook, third officer in the case, was in any way responsible for Henderson's death.

Following dismissal from the force, the three officers and M. M. Haygood, with whom Henderson is said to have had the alleged brawl, were indicted by the Grand Jury in Bessemer Court. All four were arrested and placed in the county jail by Chief Deputy Sheriff Clyde Morris.

A $2,500 bond was placed on each of the officers.

At the next meeting the special committee investigating the killing reported its finding and the council voted to dismiss the officers.

Nelson is also under bond on a first degree manslaughter charge contained in a warrant sworn out by Assistant County Investigator T. J. McCollum after his investigation of the shooting.

Negro Killed In Street Fight At Evergreen

EVERGREEN, ALA., Sept. 21.—Luman Hall, a negro, died of gunshot wounds which officers said was inflicted by W. B. Owens, of Monroeville, Ala., Friday night.

Deputy W. A. Moore, after investigating, stated that Owens gave the following account of the shooting.

Hall had left Monroeville in one of Owens's cars and had been gone since Thursday. He and his brother, Edwin Owens, came to Evergreen to see the negro, a fight ensued, and Wilbur Owens, coming to the defense of his brother, shot Hall, who died en route to a Repton hospital.

Owens was placed under bond charged with assault to murder.

Dothan, Ala. Eagle
September 19, 1940

Law-Abiding Negroes

A few days ago Negroes of Houston County presented to law - enforcement officials a petition calling for more severe punishment of Negroes. The petition deplored the tendency of courts and juries to be lenient toward Negroes accused of crimes of violence against members of their own race.

This position of the Houston County Negroes, while only in keeping with the attitude of the more progressive and enlightened Negroes, is highly to be commended and should receive the earnest consideration of Houston County officials. It might well serve also as a reminder to law-enforcement officials everywhere that both races are harmed when a lenient attitude is taken toward one.

It is a well-known fact that the crime rate among Negroes is greater than it is among whites. National figures for 1938 show that for each 100,000 of population, the rate of arrest among Negroes was 1,503.1, while among native - born whites it was only 570.9 and among foreign-born whites 209.2. That gives the Negro a crime rate nearly three times as great as the native-born white.

The proportion varies a great deal in the case of different crimes, however. More whites than Negroes, proportionately, are arrested in the case of some crimes, such as arson, counterfeiting, forgery and driving while intoxicated.

It is in the crimes of violence that the Negro becomes by far the worst offender. The rates for native whites and Negroes in some of these are, respectively: Criminal homicide, 4.9 and 31.5; assault, 22 and 155; carrying concealed or illegal weapons, 4.4 and 31.6. These figures indicate that the Negro is about seven times as frequent a perpetrator of such crimes as is the white.

The government's crime reports do not break down the facts as to the victims of Negro homicides or assaults, but it is a matter of common knowledge that most of these crimes are against members of the Negro race. The Negro is apt to be a bit hot-headed and violent among his own people, although he would be law-abiding on the outside.

There is a tendency on the part of white juries in the South to accept these murders and assaults of Negroes within their own race as something which can be passed over rather casually since members of the white race are not immediately involved. But as the Negroes of Houston County well pointed out, this tendency is not only an injustice to the Negro people as a whole, but also is bound to react upon the whole question of crime and race relations. One element of the population cannot be permitted to get the impression that intra-racial crimes are not serious in themselves.

Birmingham News

Seven Negro Homicides In November

BIRMINGHAM, Ala.—(SNS)—According to the monthly report of Coroner Gip Evans there were seven Negro homicides among the nine homicides in Jefferson County during the month of November. The report for one year ago was 13 persons slain seven Negroes and six whites.

Among the ten persons who lost their lives in accidents last month three were Negroes. Sixteen were killed accidently for the same month of last year. There were no Negroes listed among the suicide victims while five white persons were listed. A year ago one white person was listed as a suicide victim.

The complete report of the coroner showed nine homicides, five suicides, ten accidental deaths and forty-two deaths investigated during the month as the result of natural causes; thus bringing the total number of cases handled by him to 66.

SO LEADERS PLAN TO PRESENT PETITION SEEKING 'THE LIMIT'

Pittsburgh Courier
Pittsburgh, Pa.

DOTHAN, Ala., Sept. 19.—Petitions signed by upward of 50 colored leaders and organizations have been prepared and will be presented to officials of the four courts operating in Houston county—the Houston Circuit court, Houston County court, the Court of Common Pleas, and the City Police court—deploring the leniency of juries in this county in prescribing punishment for convicted Negroes, especially those convicted in homicide cases.

SEP 21 1940

All of the petitions which were sponsored by the Workers' Benevolent Assn., have the same wording, as follows: "During the past several years, a large number of murders have been committed in this county by our people and as a general proposition the perpetrators of these crimes have suffered, in our opinion, too little punishment, and as a result thereof, crime is increasing.

"The law enforcement officers and the officers of the courts have faithfully discharged their duties, and this is not a criticism of anyone; but we respectfulyl submit that the only way to prevent crime among our people is to inflict punishment so severe that it will deter others who are inclined to take the law in their own hands. We realize the white citizens of this county are the only ones who can give us relief, and we plead with you to do so."

Reward Is Offered In Ala. Crime

Daily World
Atlanta, Ga.

Husband, Father Of Slain Woman Offer $50 Each

DEC 28 1940

BIRMINGHAM, Ala. — (SNS) — The reward in the "dark corner murder mystery" in which Mrs. Wyolene Jones Fowlkes was slain by an unknown gunman has been increased from $50 to $100 as the husband of the victim matched the sum offered by the father, Allen Jones, for information, leading to the arrest and conviction of the killer.

B. A. Fowlkes, husband of the pistol-killed woman, was released from jail Monday after police had question him in connection with the slaying.

Detectives late Thursday were without definite clues. Possible rumored motives for such a crime varied from "job" to "jealously" murder with there being little of the substantial. Police had a fired shell and a paper napkin picked up at the crime scene to work on.

Mrs. Fowlkes, popular pianist and soloist and member of a leading Enon Ridge family, was shot and instantly killed Sunday night, December 22, about 9:45 in front of the Tuggle school, 12th Terrace and Fourth Place, as she went on an errand for her husband. It is believed that the murderer hid behind street shubbery near the corner where she passed and shot her in the back just as she was coming away from her home at 1415 Fourth Place, enroute to deliver a message to a neighbor, who lived about two blocks away.

She was felled by a single pistol bullet that went in the back and came out the front. Neighbors reported hearing a shot fired and two screams coming from a woman. One neighbor said he saw a shadowy figure fleeing from the corner of the murder down Fourth Place shortly after hearing the shot fired.

Chief Detective Hollum said that he has in his possession the $100 reward and that it will be paid to any person within 90 days furnishing information leading to the arrest and conviction of the killer.

The funeral of the dead woman was held at two o'clock Thursday afternoon at the Sardis Baptist church

ANGRY PUBLIC SEEKS COLD-BLOODED KILLER IN EASTERN ARKANSAS

Brutal Murder Of Attendant At Osceola Filling Station Arouses Section

FEW CLUES ARE FOUND

Cash Register And Maroon Car Sought By Officers

REWARDS TOTAL $250

Sheriff, City And The Commercial Appeal Offer Sums For Slayer Of Lawrence Waldran, 28

DEC 29 1940

By ST. JOHN WADDELL

A missing cash register and a mysterious maroon automobile last night were being sought by virtually all of angry Mississippi County, Ark., as the two major clues which might lead to what officials called the county's most brutal murder.

Aroused by the coldblooded cruelty of the slayer of Lawrence Waldran, 28, filling station operator at Osceola, Ark., Sheriff Hale Jackson announced a reward of $100 for information leading to arrest and conviction of the killer. The city of Osceola added $50 and The Commercial Appeal announced it will pay another $100 to bring the total to $250.

"Little to Go On"

As word of the slaying spread through the county, private citizens began bringing bits of information that might bear on the crime to the sheriff's office at Osceola, and law enforcing officials doubled their efforts to find a hot trail.

But last night the big county sheriff, whose quiet actions camouflage an efficient, scientific investigative ability, reluctantly admitted that "there is very little to go on."

"There is a possibility that an arrest, at least for investigation, may be made immediately," Sheriff Jackson said. "But we are not prepared at this time to say that we have a definite suspicion of any individual."

Filling Station Robbed

Mr. Waldran was killed at about 8:45 o'clock Friday night, apparently as he was servicing the car of a customer at the filling station where he was employed just south of Osceola on the main highway to Memphis.

The murder was one of gross brutality. The killer obviously used a heavy, blunt instrument to strike down his victim with repeated blows. The entire back section of Waldran's head was crushed.

Robbery played its part in the crime. The filling station cash register was taken from its place inside the building and carried away with the estimated $20 it contained. But the slayer overlooked a small metal box with some $75 in it, on a shelf just underneath the cash register.

Convicts Considered

The body was discovered about 9 p.m. by Irvin Gray, negro school teacher, who drove into the station for gasoline. He called the sheriff's office and Deputy Jake Thrailkill with Homer Quinn of the Osceola police force went to the scene.

Waldran apparently had been struck first from the front. His uniform cap had its visor dented and its leather lining crushed. There was a wound on the victim's forehead.

"There are many convicts who have been parolled to go home for a Christmas visit." Sheriff Jackson said. "There is a possibility that one of them have committed the crime for the money involved."

May Have Been Known

Other law enforcement officers pointed out that the obvious cold blooded intention to kill the station operator rather than merely hold him up indicated that the criminal was known to his victim.

But they added that anyone familiar with the station itself would have known of the presence of the cash box on the shelf, and would have taken it.

Late yesterday afternoon deputies questioning negroes in the neighborhood learned that Ben Nelm, 20-year-old negro, had gone to the filling station at 8:35 p.m. for two bottles of soft drinks.

Negro Noticed Auto

While he was there, he said, he saw a maroon automobile (he called it wine colored) in the driveway. Waldran told him to bring back the bottles, but by the time the drinks were consumed and he started to return, the murder had been committed.

Unexplained was the fact that the cash register had been carried away instead of opened and rifled. F. B. Joyner of Blytheville, owner of the station and operator of other stations through the county, said the register was not locked, that anyone could have opened it by simply pressing a key.

Deuuties could only surmise that the murderer, in his haste to leave thought it might be quicker to take the whole register than to look for the money. The fact that it was gone convinced officials that the killer came in an automobile.

Fingerprints Posible

"That cash register may lead us to the criminal, and the maroon car may help," Sheriff Jackson said.

He explained that the register probably will have fingerprints of the killer on it, and urged that anyone discovering it handle it carefully.

The missing register was made by the National Cash Register Co., is the type usually found in small filling stations. Its factory number was not available yesterday. Memphis police, as well as Mississippi County oficials, were ahked to be on the lookout for it, and WMC, The Commericial Appeal's broadcatsting station, broadcast its description, with the request that the finder notify Sheriff Jackson.

Funeral Rites Today

Late last night the victim's widow and two small daughters were preparing for the funeral in the little cottage where they live near the levee in Osceola. Without realizing the details of the tragedy, the two girls, Betty, five, and Caroline, three, still knew that something catastropic had hapepned to their fahter, and were in tears.

His widow, fairly calm after the shock of the first word of his death, broke down again when she visited the Coble undertaking establishment in Osceola and saw the mutilated features of her husband.

Funeral services will be held at the Coble mortuary at 2:30 p.m. today. Burial will be at Bardstown, Ark., where other members of Lawrence Waldran's family are buried.

In addition to his wife and two daughters, he leaves his father, A. W. Waldran of Memphis; his mother, Mrs. V. W. Waldran, Manila, Ark., six sisters, Maudie Williams of West Memphis, Millie, Hattie, Gennie Vee, Florine and Lottie Bell Waldran of Manila, and two brothers, Willie Waldran of Memphis and Archel Waldran of Manila.

Feeling Runs High

Feeling in Osceola and other Mississippi County towns ran high as discussion of the murder grew hot yesterday.

A deputy remarked to a woman resident of Osceola, "I certainly hope we can get the man who did it."

"I hope you do get him, and I hope that if you do they don't waste any time on a trial," was the reply.

Negroes' Sentences Reduced By Court

LITTLE ROCK, Ark.—(AP)—Second degree murder convictions of two Negro brothers for the slaying of a white woman during a cotton field altercation with her husband near Little Rock in 1938 were reduced to voluntary manslaughter today by the State Supreme Court, which cut their sentences from 21 to seven years.

The tribunal held there was no malice aforethought on the part of Rome Bone, 25, and Mose Bone, 21, twice convicted of firing a shot which killed Mrs. John Deaver while the Negroes were engaging in a fight with her husband over cotton picking credits.

The Supreme Court last June 5 set aside a death sentence for Rome Bone and a 21-year term for Mose Bone on the ground that there had been "systematic exclusion" of Negroes from Pulaski County jury panels for many years. Negroes were called on the regular and special jury panels for the second trial, although none served on the trial jury.

Testimony showed the Negroes and Deaver, manager of a cotton farm, became involved in a fight after Deaver directed his wife to deduct from the wage credits of Mose because he had picked "trashy" cotton. Testimony was contradictory on how a pistol, owned by the Deavers, became discharged in the scuffle.

WOMAN IS CLUBBED, SLASHED TO DEATH

TEXARKANA, Ark., July 24—(AP)—Mrs. R. J. O'Dwyer, 42-year-old society leader, was found bludgeoned and slashed to death in her home early today and officers, opening one of the greatest manhunts in the city's history, advanced the theory that a "maniac" was the slayer.

Her head clubbed with an iron bar and her throat slashed with a butcher knife, Mrs. O'Dwyer's body was discovered in a bedroom by her husband.

Expressing belief that a madman was responsible, Sheriff W. E. Davis and Police Chief Marlin Giles called on Arkansas state police for aid. Lieut. Earl Scroggin, fingerprint expert for the state department, was dispatched here.

A general roundup of transients and known house breakers got under way. Davis and Giles announced that several men were held in jail for questioning.

Giles quoted O'Dwyer as saying he found his wife dead after failing to hear her customary call to breakfast. Every room in the house had been ransacked. A valuable diamond ring, gold wedding band and watch were reported missing.

Food had been taken from the refrigerator and Giles said there was evidence the slayer had paused in an alley only a few feet away to eat after committing the crime.

NEGRO TO BE GRILLED IN ARKANSAS SLAYING

Sheriff Returns To Augusta With Louisiana Suspect

AUGUSTA, Ark., July 28.—(AP)—Sheriff E. T. Ramsey has returned from Columbia, La., with a negro who was arrested there for questioning in connection with the slaying of 16-year-old Ruby Montgomery, McClelland farm girl, who was found clubbed unconscious in a cornfield 20 miles south of here.

Mr. Ramsey's ofice said no charges had been filed against the negro who was being held for further questioning at an unannounced jail. A deputy, speaking for the sheriff, said officers were seeking to determine whether the man held was in this area when the girl was slain. The deputy said the negro denied knowledge of the slaying.

Myrt Flannery, 16, McClelland farm youth, told officers the girl was attacked Monday night by a man who confronted them as they walked home along a lonely road from services at a rural church. The youth said the unknown assailant, whom he took to be a negro, knocked him unconscious with a single blow of a four-foot elm club.

The girl, her skull fractured by two blows from the club, died in a clinic here early Tuesday without regaining consciousness. An attending physician said she had been criminally attacked and badly scratched.

SLAYER OF WATCHMAN CAUGHT IN ARKANSAS

Negro Admits Killing Leonard Sims After Arrest At Marked Tree

Lank, black Elmore Bell, 47, was arrested in Marked Tree, Ark., yesterday with the pistol that killed Burns Patrolman Leonard J. Sims in his overall pocket.

Bell, who lives at 415 St. Martin, surrendered docilely early yesterday morning to Deputy Sheriff M. T. Weems of Marked Tree while Joe Davis, deputized citizen, covered the negro from a nearby car with a double-barreled shotgun.

Killed In Scuffle

Patrolman Sims was killed when he scuffled with a negro near Nettleton and Main in the dark of Wednesday morning. He was shot with his own gun—the .38 found yesterday in the negro's possession.

Bell just grinned and said, "Yes, I done it," when he was questioned early yesterday by The Commercial Appeal correspondent at Marked Tree, first to query him after the deputies made the arrest. Memphis detectives said the negro confessed here yesterday, and admitted that he had served five of 10 years to which he was sentenced on an assault to kill charge. They accused him also of engaging in a gun battle June 29 with Patrolmen Jones and Fancher on South Second.

Charged With Murder

He is charged with the murder of Mr. Sims and with carrying a pistol. Charges of shooting with attempt to kill and carrying a pistol are lodged against him for the South Second incident.

First clue in the case came when Lieut. O. A. Clark learned the negro's identity through an informer the day of the murder. He, Sergt. George Wilson and Acting Homicide Chief Don Owen went to Springfield, Tenn., where they thought the negro might be visiting his mother. He wasn't there.

Next tip was that the killer was in Jeffries, Miss. A trip there Friday night failed to bring results for Lieut. William Raney, Sergt. [illegible] Detective Owen and Sheriff [illegible] of Tunica County.

The Memphis officers returned Friday night just as a negro informer walked into the Police Station with word that Bell was in Marked Tree.

It was 2 o'clock yesterday morning when the three made the trip to the Arkansas town, where they searched box cars thoroughly on a tip that the man was sleeping in one. They combed the environs of River Park, unmindful that the tall negro was asleep in long grass there.

The policemen left their informant in Marked Tree with instructions to keep watch for Bell and report him to Mr. Weems. It was well after daylight when the deputy walked into a cafe and told Bell to put up his hands and turn his back while handcuffs were snapped on.

Brought Prisoner Here

Mr. Weems brought the prisoner here, and returned to Marked Tree

what Rankin called interference in another congressman's district, Mr. Geyer declared:

"I would like to state that no man in this House has taken more time of the House or more space in the record than has the gentleman from Mississippi on affairs concerning other sections of the Nation other than his own.

Takes Slap At Rankin

"He has interested himself in the power rates of practically all the 435 districts of the United States. It is a little difficult for me to see why he deems it proper for him to be concerned with the power rates in every state and improper for me to be concerned in these perilous days about the right to vote of the citizens of the Nation. Yes, it seems to make a 'difference whose ox is gored.'"

REVENGE IS ADVANCED AS SLAYING MOTIVE

Leonard J. Sims, Patrol Operative, Shot By Negro

KILLER MAKES GETAWAY

Witnesses Tell Of Early Morning Scuffle On Railroad Tracks Downtown — 1938 Shooting Recalled

Vengeance was advanced last night as a possible theory for the fatal shooting early yesterday of Leonard J. Sims, 37, of the Burns Night Patrol Service.

Police were inclined to discount the revenge motive as the entire detective force was assigned to the case.

1938 Shooting Recalled

Mr. Sims was slain with his own gun on the Illinois Central Railroad spur track on Nettleton west of Main at 6:15 o'clock yesterday morning. An unidentified negro was reported to have disarmed him and fled with his gun.

Police recalled yesterday it was Mr. Sims who shot and killed a negro car prowler near the Adler Hotel in 1938. He was charged with murder at the time but cleared by the Shelby Grand Jury.

Details of the 1938 shooting are sketchy, but police said the car prowler was Willie Lewis Turk. He was shot in the back by Mr. Sims.

The shooting yesterday took place near the loading platforms between W. B. Mallory & Sons Co., and Clayton Hughes Grocery Co. Police believe Mr. Sims discovered the negro prowling the box cars and was attacked when he attempted to arrest him.

Witnesses Tell of Scuffle

However, W. F. Burns, head of the patrol service, said he did not think Mr. Sims saw the negro until he was attacked. "I went to the scene," he said, "and reconstructed the affair, and I'm well convinced that Sims was taken by surprise. I don't believe he could have been over-powered if he'd been on guard. The negro must have jumped on him before Sims saw him."

Mr. Burns explained it was Mr. Sims' custom to stop his car near the scene and punch an A.D.T inspection box there.

Police say Earl Ayers, 1370 Madison, employe of Mathielson-Alkali Works, was en route to work and saw the scuffle. Mr. Ayers said he saw the men fighting behind a box car and stopped to investigate.

Both men went down on their knees in the struggle, he said. Then the negro broke free with his righ arm, raised slightly and fired once on the officer who was still gripping his other arm, he said.

The bullet passed through Mr. Sims' right arm and entered his side. He was dead on arrival at Baptist Hospital.

Mr. Ayers, whose version of the shooting was corroborated by a negro witness, fled when the shot was fired, police said.

A third witness, a white man, was sought last night in an effort to obtain more information about events preceeding the shooting, police said.

Sergt. Don Owens, acting homicide chief, said the other witnesses saw the man standing on one of the platforms about "15 feet from the fight."

"Standing as near the scene as he was, this man should be able to give us an exact description of the negro and may provide us with more details of the shooting," he said.

No arrests had been made early last night, Sergeant Owens said, although a one-armed negro man, whose name was withheld was questioned at headquarters after being found near the scene.

Gun Victim

Leonard J. Sims, detective agency patrolman, was slain yesterday by a negro desperado who escaped.

Negro Is Ax Victim

FORREST CITY, Ark., Aug. 14.—Cephus Clemons, 50, negro, victim of an ax murder following an attack by three masked assailants at his home near Pinetree, north of here, Tuesday, died Wednesday. A coroner's jury, called by Coroner Christopher, returned the verdict that "Clemons came to death by licks from an ax from unknown hands." The negro's daughter, Rosemary, 15, was struck on the head, knocked unconscious, but recovered. Officers said the girl appeared to be afraid to talk.

DUMAS DEPUTY DIES OF GUNSHOT WOUNDS

SEP 22 1940

Joe H. Breedlove Shot By Negro He Tried To Arrest

Special to The Commercial Appeal

DUMAS, Ark., Sept. 21.—Joe H. Breedlove, 63, deputy sheriff of Dumas, who was shot by James Dillard, negro he was trying to arrest, four miles south of Dumas Thursday, died early Saturday at the Dumas Hospital.

Mr. Breedlove was born at Milleville, Ark., moving to Dumas 25 years ago, where he has since acted as constable and deputy sheriff. The negro ha snot been apprehended.

He is survived by his wife, Mrs. Mary Breedlove; four sons, Joe of Caddo Gap, Ark., Henry of Tyro, Ark., and Jack and Harry of Dumas; three daughters, Mrs. Jesse Porter of Houston, Texas, Mrs. Charles Smith of Grady, Ark., and Mary Irene Breedlove of Dumas; three sisters, Mrs. Irene Brewster of McCrory, Ark., Mrs. D. C. Elliott of Pine Bluff, Ark., and Mrs. Della Frazier of El Dorado, Ark.

Funeral services, conducted by the Rev. H. A. Turner of Dumas, will be held at the Christian Church here at 10 o'clock Sunday morning. Burial will be at Walnut Lake Cemetery.

He Only Killed A Negro So It Doesn't Matter

OCT 12 1940

ELDORADO, Ark. — Because the state could not present a case since neither evidence nor witnesses were available, Hilliard Hadley, alias Cornal Boston McIntyre, who fled the Urbana community 28 years ago to avoid a murder charge, became a free man last week and can return home without fear of arrest. Observers point out that this is an indication of laxity of law enforcement where only Negroes are concerned.

Several days ago Hadley walked into the office of Prosecuting Attorney Oren Harris and asked that he be tried for the murder of another Negro at Urbana in 1912. He remembered only that the victim's name was "John." Hadley said he fled the scene and remained away until he was recently called back because of his father's death. But in order to legally qualify as an heir, he had to have the murder charge against him cleared.

OCT 12 1940

However, no court records could be found of the slaying and officers were unable to locate any witnesses. Prosecutor Harris then filed charges against Hadley for first degree murder in connection with the death of one John Doe. When the case was called for trial, nobody appeared against him. Hadley won an acquittal and now can return to Urbana as a legal heir to his father's estate.

WOMAN SENTENCED TO DEATH IN CHAIR

Little Rock's 27-Year-Old Mary Dinwiddie Steadfastly Denies Any Connection With Killing.

DEC 14 1940

LITTLE ROCK, Ark., Dec. 12.—First of her sex ever to be condemned to death in Pulaski county, Mary Dinwiddie, 27, was sentenced in Circuit court here Friday, to die in the electric chair on Jan. 17, 1941. Sentence was pronounced following her conviction Wednesday of the murder of S. R. Davis, employed as night watchman by the North Little Rock Motor company.

Davis, whose body was found on the company's used car lot on the morning of Sept. 7, was declared by examining physicians to have been beaten to death with a heavy instrument of some kind. There were no witnesses to the slaying with which the woman has from the first, denied any connection.

WOMAN GETS DEATH PENALTY IN KILLING

NOV 28 1940

(The Associated Press)

Little Rock, Ark., Nov. 27.—Mary Dinwiddie, 25-year-old Negro, was condemned to death by a circuit court jury which convicted her today of first-degree murder of a white man, S. R. Davis, 63, North Little Rock night watchman.

The verdict automatically carried the death penalty. Court attaches said they believed it was the first death sentence ever returned against a woman in this county. No woman has ever been executed for a crime in Arkansas.

MAN FACES MURDER CHARGE IN SHOOTING

Joiner Grocer To Plead Self Defense, Officers Say

DEC 14 1940

Special to The Commercial Appeal

BLYTHEVILLE, Ark., Dec. 13.—Wallace Miller, 28-year-old grocery store operator of Joiner, 36 miles south of here, has been charged with murder in the death of a negro, Lee Burks, who was fatally shot early Monday on the Chute Road between Joiner and Island 37 in the Mississippi River, Sheriff Hale Jackson announced Friday.

Miller has confessed shooting the negro, but will plead self-defense, according to officers, who made the arrest after an intensive grilling late Thursday.

Thomas Brown, O'Neal Lindy and Jimmie Straver, all of Joiner, who were with Miller at the time of the shooting, were also questioned at length, but were not arrested.

Jailed at Osceola, Miller was expected to seek freedom under bond by a habeas corpus hearing, but no such hearing had been scheduled Friday afternoon, it is understood. A murder charge is not usually bondable in a magistrate's court.

No report of the shooting had been made public pending an investigation which led to Miller's arrest.

At the time of the killing, Miller reported to Deputy Sheriff Ocie Nunnally of Joiner that he had shot the negro in self-defense, and his story was substantiated by his three companions.

Officers have announced their investigation has disclosed that Burks, a farm laborer, was walking along the road when he was accosted by the three motorists, alleged to have been drinking, who were returning home from a poker game over on the island. An argument is then alleged to have taken place between Miller and the negro.

Miller, a few minutes later, is alleged to have turned his car back, accosted the negro a second time, and then shot him, officers said.

LIFE VERY CHEAP IN ARKANSAS

White Man Turns His Car Around to Shoot Negro—Admits Crime, But Will Plead Self Defense.

DEC 28 1940

BLYTHEVILLE, Ark. Dec. 26—A charge of first degree murder has been brought by authorities against Wallace Miller, 28-year-old white grocery store operator in the town of Joiner, 30 miles south of here, in connection with the shooting to death of Lee Burks, early Monday, Hale Jackson said Miller, who is being held without bail at Osceola, has confessed to the slaying of Burks, but has given notice he will plead self-defense.

Pending its completion, no report has been made of the results thus far of the investigation by officers that resulted in Miller's arrest. A statement made by the prisoner to the deputy sheriff who took him into custody, that he shot Burks in self-defense, is said to have been corroborated by three other white men who were with Miller in his automobile at the time of the shooting.

Miller and his three companions were drinking, according to the most widely-accepted version of what occurred, and accosted Burks, a farm laborer, as he walked along the road. A few words are said to have been passed between him and Miller, and the latter then drove on, but after going only a short distance, Miller turned his car around, stopped and accosted Burks a second time and, drawing a pistol, shot Burks several times, inflicting wounds that caused his death within a few minutes.

Kidnapped Girl Found Slain; Hunt Murderer

Laborers Discover Shallow Grave on Wasted Beach Land; Abductor-Slayer Eludes Police

By Sam Smith

LOS ANGELES.—(Special to The Call)— The body of 9-year-old Dorothy Gordon, kidnaped six weeks ago, was found in an isolated section of Los Angeles waste beach land called the Del Rey Slough. The child had been murdered.

The body was discovered by Frank Roman, Willard Robins, Andrew Johnson, employes of a Los Angeles florist, who were on the Del Rey Slough collecting weeds for a jungle scene for a motion picture studio.

Pulling weeds and wild flowers on the dumes, Roman noticed a ridge underground. He scattered the earth with the tool he was working and turned up one of the child's feet. Digging still further, Roman found that a complete body was buried. The men rushed to the nearest telephone and summoned police.

Picked Up By White Man

Dorothy was picked up at Washington and Hooper Ave., on March 5, by a white man in an old dilapidated grey car. Dorothy was walking home from rehearsal for an Easter program. The man drove up, halted Dorothy, and offered Dorothy a ride home. She hesitated, then innocently got into the car and was never seen again.

The body discovered by Roman fit in detail the description of Dorothy. Most of the clothing found with the body was disintegrated beyond recognition, but there remained a scrap of shoe identical with the shoes last worn by the child.

"There is no doubt left that the body found is that of Dorothy Gordon," said Deputy Sheriffs Robert Jurgeon and James J. Gilmer after a thorough examination of all evidence at the scene.

Convinced that the slain child was Dorothy, the officers communicated the sad message to the child's parents, Mr. and Mrs. William Gordon, 1458 E. 22nd St.

Mrs. Bernella Gordon, the slain child's mother who had hoped against hope all this time that her baby would be found alive, collapsed when the news of the discovery was broken to her. Intensifying the search for the murderer, all known sex degenerates were questioned anew but interest was centered on Luther C. Atchley, 43.

Atchley was not only highly nervous, according to police, but bears a close resemblance to the drawing released three weeks ago by the Los Angeles Daily Examiner, drawn by a staff artist, in his conception from descriptions given by the few eyewitnesses to the kidnaping.

Two Negroes Deny California Slaying

STOCKTON, CALIF., May 5.—(AP)—Two negro ex-convicts were held on suspicion of murder charges today in the slaying of a young man and woman whose throat-slashed bodies were found in a weed-grown field Friday.

Dist. Atty. F. C. Clowdsley said a formal complaint charging Dewey Clark, 29, and Henry Jones, 38, with murder of Nathan Chinchiolo, 23, of Stockton, and Dorothy Woofter, 19, of Tracy, probably would be filed tomorrow.

The negroes, both of whom have served time in a prison camp in Kern County, vigorously denied knowledge of the crime, despite identification by a garage mechanic, Walter B. Guyon, as the men who stopped in Tracy shortly after midnight last Sunday for repairs to Chinchiolo's automobile.

Clowdsley said the suspects told conflicting stories after they were brought here from Fresno where Chinchiolo's car was abandoned and where the negroes were arrested yesterday. Clark maintained he and Jones were in Bakersfield last weekend, but Jones said he was in Fresno. Both insisted they had not been in Stockton or Tracy for several years.

The two were lodged in widely separated solitary cells.

Jones, a lanky man more than six feet tall, was released April 24 from a road camp after serving a sentence for a Los Angeles robbery. He previously had been in San Quentin Prison for assault with a deadly weapon.

Clark, another six-footer, was discharged from the road camp last Christmas night after serving a sentence for burglary.

Authorities fixed the time of the double slaying as last Sunday night.

Chinchiolo and Miss Woofter were last seen in Chinchiolo's automobile about 8 p.m. that night as they parted from friends. Their bodies, hands and legs tied, throats slashed and gags crammed into the mouths, were found by a motorist.

TWO NEGROES HELD IN DOUBLE SLAYING

California Man and Woman Found With Throats Slashed

STOCKTON, Calif., May 5. — (AP)—Two negro exconvicts were held on suspicion of murder charges Sunday in the slaying of a young man and woman whose throat-slashed bodies were found in a weed-grown field Friday.

Dist. Atty. F. C. Clowdsley said a formal complaint charging Dewey Clark, 29, and Henry Jones, 38, with murder of Nathan Chinchiolo, 23, of Stockton, and Dorothy Woofter, 19, of Tracy, probably would be filed Monday.

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Convict's Confession Of Killings Probed

FOLSOM PRISON, Calif.—(AP)—A Folsom Prison convict was en route to Stockton Saturday in custody of officers who will investigate his confession of a double knife slaying, for which two Negroes have been indicted.

Warden Clyde I. Plummer said the convict, Ernest Striplin, had been removed from solitary confinement, where he was placed after telling his story, and was delivered into the custody of Sheriff Martin Ansbroc, of San Joaquin County.

Plummer said Striplin told how he was under the influence of a narcotic the night of April 28 when he killed Nathan Chinchiolo, 23, of Stockton, and Dorothy Woofter, 19, of Tracy, in a weed patch near the Stockton Airport.

Striplin twice has been convicted of robbery and was committed to Folsom last June 3 as a parole violator.

Awaiting trial on the murder charges are Dewey Clark, 29, and Earl Jones, 38. They were accused of having been seen riding in Chinchiolo's car after the slaying. Both pleaded innocent on the murder charges and their trial was set for Aug. 5.

Plummer said Striplin declared that he jumped onto the running board of the car in which the two were riding with the intent of robbing them; that when Chinchiolo started to fight he stabbed the young man, then after dragging Chinchiolo from the car he ravished and stabbed the girl.

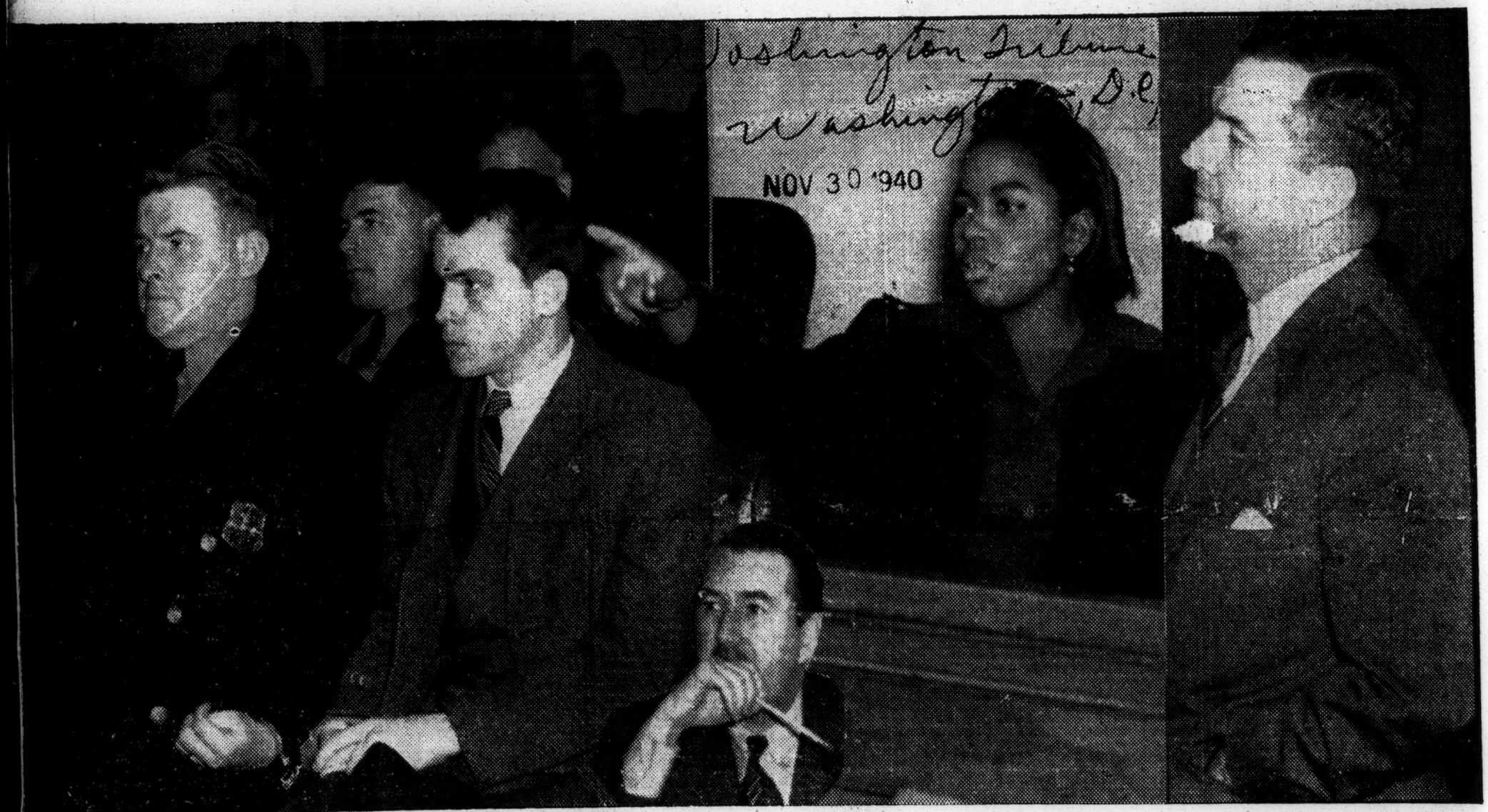
White Felon Clears 2 Youths In Slayings

FOLSON PRISON, Cal. (CNA)—Two youths picked up on suspicion and held for trial in the murder of a wealthy white man and a white girl last April 28 were believed cleared this week by the confession of a white Folsom prisoner.

Warden Clyde Plummer said Ernest Striplin, now serving a robbery sentence, had admitted killing Nathan Chinchiola, 23, of a rich Stockton family, and Dorothy Woofter, 19 year old hostess. The tightly bound bodies of the pair were found in a weed patch near the Stockton airport. Henry Jones and Dewey Clark were arrested in a police round up of "Negro suspects." Trial of Jones and Clark had been set for August 5.

KILLINGS - 1940 D. C.

Mildred Points Accusing Finger at Man She Says is Sniper



Mildred Washington, 17, is shown pointing at John Eugene Eklund, white, 25-year-old former George Washington University student, Tuesday, as she told a coroner's jury that he killed her escort, Hylan McClaine, 17, of 1021 Thirteenth Street, Northwest, and fired two shots at her the night of October 15 on Rock-Creek Parkway near Virginia Avenue, Northwest. Eklund is shown at the left handcuffed to a policeman as he listened grimly to testimony presented at an inquest at the District Morgue before Coroner MacDonald, inset below, in connection with the sniper slaying of four men all of whom were colored. Defending the sniper suspect is James K. Kirkland, right, who questioned witnesses and advised his client not to take the stand. Testimony of about 40 witnesses before the grand jury began Wednesday morning.—Photos by McNeill.

Girl Picks Ex-Con As Slayer of Boy Friend

Washington Tribune
Washington D.C.

BULLETIN!

John Eugene Eklund, 25, white, suspected of being "The Sniper," has been indicted by the grand jury on each of three murder counts, The Washington Tribune learned from a reliable source on Thursday (this) morning. NOV 30 1940

Twenty-five year-old John Eugene Eklund, white, sullen, nattily-dressed ex-convict and ex-college student, trapped in a maze of circumstantial evidence as well as "positive identification" by a 17-year-old girl who said he shot down her boy friend, was held for the grand jury, Tuesday, by a coroner's jury in connection with three of four pistol killings attributed to the murderous "Sniper" who has terrorized Washington's colored citizenry since September.

The inquest lasted 1 hour and 45 minutes; the coroner's jury used 54 minutes in reaching its decision. Less than 24 hours later, at 11 a. m., Wednesday, the first of an array of witnesses, expected to number nearly forty, began testimony before the grand jurors.

District Attorney Hears Evidence

The seriousness with which the case is regarded by the Government is manifested by the fact that U. S. District Attorney Edward M. Curran was present at the inquest with three of his assistants.

Those in connection with whose murders Eklund is held include:

Hyland McClaine, 17, of 1021 Thirtieth Street, Northwest, the last victim, shot down on October 15, as he escorted Miss Mildred Washington, of 2323 Virginia Avenue, who pointed the accusing finger at Eklund during the inquest, to her home;

Sam Banks, 65, of 2600 I Street Northwest, and Theodore Caffney, 45, of 823½ Twenty-sixth Street, Northwest, who lives were snuffed out as they sat on a bench in front of the former's home, early October 6.

An inquest into the death of Moe Steele, 21, of 12 P Street, Northwest, shot on September 1, was not held as no bullets were removed from his body with which to conduct ballistic examinations.

Revelations at Inquest

Testimony at the inquest revealed the following facts:

Eklund was arrested two weeks ago in the 1700 block of Pennsylvania Avenue, Northwest, by Capt Walter T. Storm, Lt. R. J. Barrett, and Precinct Detective Lester Rank, all of the Third Precinct, following a tip to police.

Plans to hold an "appreciation meeting" in behalf of Capt. Walter T. Storm, Lt. Robert Barrett, Precinct Detective Lester Banks, and officers of the Third Precinct who have worked overtime in an effort to find the murderer of four colored persons and shooter of two others, are being arranged. Dr. E. F. Harris, president of the Lincoln Civic Association, in whose area three slayings occurred, announced on Wednesday. NOV 30 1940

On two occasions previously, Miss Washington had gone to the Third Precinct to view a line-up in an effort to identify the suspected murderer. On the third trip, Miss Washington, the only person to see the sniper and live, saw a line-up of six men including Eklund.

She requested that Eklund be instructed to turn his coat collar up and walk with his hands in his pockets, actions ascribed to the man who killed her boy friend. When this was done, the girl identified him as the killer.

Surprise Witness White

Washington Star

Wilbert Tew, white of 1414 Twentieth Street, Northwest, the Government's surprise witness at the inquest, came forward with the information that he had worked with Eklund during the summer at a drive-in-restaurant near the Washington airport and saw his co-worker draw a pistol and fire several shots into a tree and a piece of board in a wooded area behind the restaurant.

These bullets were picked out by Sgt. Aubrey Tolson of the homicide squad and Lieutenant Barrett and turned over to Lt. John Fowler, police ballistics expert. Six bullets, two each from the three ambusher's victims, were also given to the expert for comparison.

Petite and demure, Miss Washington, who now has Detective Rank as her constant bodyguard when she goes out, told the circumstances surrounding the killing of McClane, whose inquest was held first.

Saw Suspicious Man

She testified that McClane was taking her from his home to her home after she had been to a dance on U Street with his sister. As the pair were walking over a temporary bridge over Rock Creek Bridge at K Street, Northwest, she said:

Washington Star

"I saw a white man walking behind me. He looked suspicious with his coat collar turned up and his hands in his pockets. I told McClane that I did not like his looks and he told me not to pay any attention to it.

D.C.

"We walked on," she continued, "and the man went into some bushes by the path. A few minutes later this man jumped out of the bushes back of us and began shooting.

"The man fired two shots at Hyland and I turned and looked and began to run. As he stood over Hyland who had fallen to the ground, the man fired three shots at me."

Points Accusing Finger

Miss Washington repeated that she was positive in her indentification at the Third Precinct and unhesitatingly pointed out "the killer" as he sat in the crowded inquest room manacled to an officer and under heavy guard.

Wilbert Tew, the surprise witness, followed Miss Washington to the stand and told of seeing Eklund fire the shots into the tree. The only time Eklund showed any visible emotion was when Tew was called to the witness stand. The suspect's eyes followed Tew's every movement and Eklund literally glared at him as the former walked to the stand.

During the inquest of the murders of Messrs. Banks and Gaffney, it developed that there were no eye witnesses. The autopsy revealed that each had been shot twice in the back of the head with a pistol held less than six inches from the victims. The hat of Mr. Banks and the cap of Mr. Gaffney both had powder and flash burns.

Miss Ethel Neverson, of 2004 E of Mr. Banks, said that she was asleep at his home on October 6, and awakened by the shots.

"I was asleep when I heard 'pow, pow, pow' out of the window. I looked out and Banks and Gaffney were lying on the bench."

She said that she did not see any one fleeing from the scene.

the head and by another bullet

McClane was shot in the back of which struck him in the arm and lodged in the back.

Bullets All Similar

Lieutenant Fowler, combining his testimony for all three murders, said that the bullets allegedly fired by Eklund into the tree and the six taken from the victims were all of a .38 caliber Colt revolver his investigation showed.

"I am of the definite opinion that all of the bullets were fired from the same revolver," said Lieutenant Fowler.

Eklund had a .38 caliber revolver when arrested; although police have been unable to find the pistol from which the fatal shots were fired, the chain of circumstantial evidence about the suspect is mounting since his identity has been publicized.

Grudge Believed Motive

Eklund's motives for the slayings are said to hinge upon a grudge against colored persons because of certain difficulties he had with them while serving time in an Indiana prison.

Police say they produced only about "one tenth of the evidence" connecting Eklund with the slayings. It is reported that a dictagraph was placed in his cell while he was undergoing investigation at the Third Precinct.

Although Eklund refused to make a statement at the inquest upon the advice of his attorney, James R. Kirkland, former assistant district attorney, he has been variously quoted.

He is quoted as saying that had he known of a meeting in the Liberty Baptist Church sponsored by Dr. Edward F. Harris, president of the Lincoln Civic Association, and Dr. C. Herbert Marshall, president of the Rock Creek Civic Association, in whose area the slayings occurred, during which Chief of Police Ernest W. Brown and Captain Storm told of efforts to catch the sniper, he would have dynamited the place.

It has been definitely established that Eklund lived in Baltimore and worked in an airplane factory. He is said to have frequently visited his mother here, who believes him innocent and hired his attorney.

Reports that a quanity of dynamite was found in Eklund's Baltimore apartment tend to give credence to the dynamite intentions. Aside from the finding of pistol drawings and explosives, police say they also discovered a small mechanical drill in the Baltimore apartment which didn't help his case any.

Police say they have witnesses who heard Eklund say he would use the mechanical device to drill bullets from trees surrounding a rifle range where he often practiced target shooting.

Officers say that if the suspect had been allowed to go through with his plan, the most vital clue in the series of slayings would have been destroyed. It is also believed that the suspect may have been planning another night of terror on the night of his arrest. District Attorney Curran has as a silencer was found in his possession along with the pistol.

session along with the pistol. promised a speedy trial should the grand jury indict Eklund, of which Two persons are recovering there is no doubt.

63-YEAR-OLD JANITOR MUST WALK 'LAST MILE'

Major McAffee, Who Killed Sweetheart in Apartment Building Where He Worked, Denied Stay of Execution.

WASHINGTON, March 28 — William McAffee, alias Major McAffee, 63-year-old janitor, who killed Mrs. Henrietta B. Anderson, his white love, must walk the last mile, the Court of Appeals for the District of Columbia ruled last Monday.

In an opinion delivered by Associate Justice Justin Miller, the appellate court upheld the use against McAffee of a confession allegedly wrung from him while his mind was benumbed by alcohol and protracted questioning.

CONVICTION BASED UPON HIS CONFESSION

His conviction of first-degree murder was based upon the confession. The trial judge instructed the jury that if it rejected it as involuntary, the evidence was insufficient to establish first-degree murder.

McAffee was twice convicted of first-degree murder. On a former appeal his conviction was reversed because of errors in the instructions given to the jury.

On the second appeal, as on the first, the assignment of error most strongly urged, concerned the admissibility of confessions made by McAffee a few hours after his arrest.

WAS JEALOUS OF HER ATTENTIONS TO FAT MAN

The murder occurred at about 3:30 o'clock Sunday afternoon, August 22, 1937. McAffee was arrested about three hours later at the apartment at 1633 L street northwest where Mrs. Anderson lived and he was the janitor.

At about 5 o'clock the next morning he made an oral confession. He told the officers he was jealous of her attentions to a fat man, who visited her, and that he had told her before she married that man he would kill her.

In a written confession he signed about 7:30 o'clock the same morning, he said he had been going with Mrs. Anderson for about two and a half years and that he and she had fallen out because of a woman named Annie May Johnson in Rocky Mount, North Carolina.

SHE WANTED HIM TO GO TO BED WITH HER

He said he and the white woman had been quarreling and fighting for several days because she had gone to a beach one day and remained out all night.

They renewed their quarrel on the day of the fight, he stated, and he hit her with his fist. Afterwards, the confession read, the white woman laid on the bed in her apartment and told him he was going to bed with her.

He refused, he said, and then struck her with the furnace shaker with which she was killed.

McAffee had been drunk for several days before the murder. He was drunk when he was arrested. When he was arrested in the basement of the apartment house, he had to be assisted upstairs. During the night he was so drunk and sleepy that whenever questioned he had to be awakened.

Colored Youth Held in Killing Of WPA Boss

Foreman Is Clubbed To Death in Dispute Over Extra Work

Bernard S. Riley, colored, 24-year-old truck driver, was at the District jail last night awaiting trial in the death of Peter P. Henderson, 54, of 1109 Twenty-fourth street northwest, a WPA foreman.

A coroner's jury held the colored youth for the grand jury yesterday after two housewives testified at an inquest they saw Henderson struck down from behind with a pick handle, June 10, at Seventh and Irving streets northeast.

Mrs Mary R. Dean, of 709 Irving street northeast, told the jury she saw Riley strike the supervisor when the latter threatened to call the police following an argument. Mrs. Anna M. Conrad, of 708 Irving street, told a similar story and said she shouted a futile warning to Henderson just before he was struck.

Detective Sergt. Fred Rawlinson, of the homicide squad said Henderson and Riley became involved in a dispute when the foreman asked the truck driver to distribute some red lanterns—a task which would have required Riley to work a few minutes overtime.

Riley argued with his superior over the order, Rawlinson stated, and during the dispute took up the pick handle. It was then, the detective added, Henderson started toward a telephone and was struck down.

Henderson was taken to Casualty Hospital where he died of a skull fracture last Thursday.

Say Sniper Suspect Has Racial Grudge

WASHINGTON

Police spent the entire week questioning a 25-year-old white ex-convict on suspicion that he may be the long-sought "sniper" whose criminal activities have claimed the lives of four men during the past three months.

Information that the suspect bore a grudge against colored men for certain incidents in prison for which he blamed them, provided a clue which Chief of Detectives Bernard W. Thompson told the AERO was "the best yet."

Identity Shielded

Other than that simple statement, Inspector Thompson declined to comment on the case, and asked that the suspects' name be withheld.

Inspector Thompson denied reports that the man was in possession of a gun when he was arrested. He did say, however, that Miss Mildred Washington, 17, who saw the man who shot and killed her escort, Hylan McClaine, last month, near the K Street bridge, had picked the suspect out of a police line-up shortly after his arrest on Friday.

Father Sues Cop Who Shot Boy for $25,000

Baltimore, Md.

WASHINGTON

Suit for $25,000 damages, filed last week by Fred Walker, Sr., father of the young victim of Capitol Police Sergeant Vernon E. Deus, white, is based on three theories, according to Charles H. Houston, attorney, representing the Walker family.

The action asks $10,000 compensatory damages for Fred, Jr., $10,000 punitive damages against Deus for benefit of Fred, Jr., and $5,000 damages to the father for loss of the services of his minor son.

Suit Based on 3 Theories

The suit is drawn on three theories:

"1. That as a police officer having the boy in his custody, Deus owed the prisoner the duty to use reasonable care to deliver him safely to the lawful authorities. But, in violation of his duty, without just cause or excuse, shot and wounded the prisoner. (This is the theory in part for imposing liability on State officers under the anti-lynching bill).

"2. That Deus made an assault and battery on Fred, Jr., such being intentional wrong.

"3. That under the ordinary rules of negligence Deus owed a duty to all persons with bullet range to use due care in handling his revolver to see that persons within range were not injured."

Young Walker was shot on June 24, in the guardroom of the U.S. Capitol Building.

He and two playmates had been taken into custody by capitol police for swimming in the pool on the west front of the capitol. While being questioned, little Fred was shot in the neck when a revolver, which Sergeant Deus said he was cleaning, was discharged.

SPECIAL OFFICER KILLS MAN THOT TO CARRY WEAPON

Reputed to have threatened three women and intimated that he was armed, William Seymour Chandler, 26, of 909 T Street, Northwest, was fatally shot by Edward A. Easton, 39, of 634 N Street, Northwest, a special policeman.

Washington Tribune

Easton is being held pending action of an inquest expected to take place on Friday or Saturday.

The single bullet fired by Easton from a .30 caliber German luger went through the right side of Chandler's body and glanced off the right arm of Private Philip Abel, 35, white, who had been summoned to the scene by the special officer.

Sept. 7, 1940

As the two officers approached, Chandler is said to have motioned a hand toward a rear pocket. Easton then shot, police said, because he feared Chandler was reaching for a weapon. The man was pronounced head at Freedmen's Hospital about ten minutes after admittance. A piece of lead pipe is reported to have been found in his pocket.

Washington D.C.

Among those listed as witnesses are: Louis Norris, 614 S Street; Lillian Ridley, 634 N Street; Christine Walker, 611 L Street, and Thomas Firmes, 401 P Street. Notification of Chandler's death was sent to 2 Wood Street, Newark, N.J., where his mother is supposed to live.

Fingerprints Trap Man Wanted Here For 1933 Slaying

Washington Afro

Washington, D.C.

DEC 2 0 1940

The long arm of the law reached to Goldsboro, N. C., yesterday and apprehended a colored man sought here since 1933 for the fatal shooting of another.

Dock Rogers, colored, 38, was taken into custody in the Southern city when he was released from a chain gang after serving 90 days for lerceny. He was tripped by fingerprints on file at the Federal Bureau of Investigation.

Records show Rogers was indicted here in 1933 for the murder of Ronnie Nelson, colored, of 1227 New Jersey Avenue Northwest, but was never apprehended. When he was arrested on the larceny charge in Goldsboro his fingerprints disclosed his identity and whereabouts.

Mad Sniper Loose Around Washington High School Kills One, Wounds One

SEP 14 1940

Several Suspects Released—Racial Identity of Wanton Slayer Remains Mystery—People Stay Off Streets After Dark.

WASHINGTON, D. C., Sept. 12.—Two colored suspects and several Gypsies picked up for questioning in the widespread dragnet to catch the murderous sniper who slipped up behind two men in the neighborhood of the Dunbar high school and shot them in the back, killing one, were released last week-end.

Washington Tribune

Sept 14 1940

One of the men was recently released from Lorton Reformatory and found to have imperfect alibis, but police unearthed nothing to connect him with the mad killer who slips up behind his victims and fires without saying a word and making no attempt to rob them.

BUS BOY FIRST KILLED BY SNIPER

The first and fatal shooting occurred about 2 a.m., one recent morning, when Moe Steele, 23, a bus boy, who lived in a rooming house at 12 P street, northeast, was returning home from his work.

As he lay dying on an emergency operation table in Freedmen's hospital, Steele told police that as he neared home he heard footsteps behind him, but before he could turn around he was shot.

The young man managed to hail a taxi which took him to the hospital. Steele told police that he thought a white man shot him.

Within a block of the first shooting and two mornings later around 4 o'clock, the sniper stalked Jack Sharkey, 35, and pumped three bullets into the back of his victim.

Sharkey, a pinsetter in a bowling alley, had been visiting a young woman friend and had just left when the potential murderer attacked him on P street between North Capitol and First streets.

SHOOTER THOUGHT COLORED; PEOPLE AFRAID

The pinsetter could not identify his assailant, but Miss Alice Childs, of 72 P street, northwest, told police that she thought the shooter was colored. Hopes for Sharkey's life are faint. One of the bullets lodged against his spine and his condition in Freedmen's hospital won't permit operation.

The attacks have caused extra police patrols to be maintained in the neighborhood, also that of the Armstrong high school, which is not far away. Since the shootings, men shy at the neighborhood after dark and the streets are practically deserted with the exceptions of police patrols and stealthy detectives.

MOTIVE IS PUZZLE

Despite the different versions as to the sniper's color, police believe the same man is responsible in both cases. However, they are nonplussed as to a motive as no attempt to rob the men was made and no disgruntled rivals in love have been unearthed.

The attacks are reminiscent of the prowler who roamed through upper Rock Creek Park in 1938, killing two persons and wounding two others. No robberies were committed in these cases either, but detctives do not believe that there is any link between the new and the old killer, whose case was never solved.

THIRD DEGREE METHODS ALLEGEDLY USED TO OBTAIN 'CONFESSIONS' AFTER 7 DAYS OF QUESTIONING

WASHINGTON, D. C., Jan. 11 — During argument last Thursday of the case of four destitute and ignorant youths, who are under sentence of death for the murder of a white man in Florida, Supreme Court justices directed a barrage of questions at S. D. McGill of Jacksonville, their counsel, to develop the fact whether they had been ably represented by counsel at their trial, as the Florida Supreme Court had found.

Chief Justice Charles Evans Hughes in particular asked Mr. McGill to point out anything in the record to refute the finding of the Florida Supreme Court. Associate Justices Felix Frankfurter and Hugo Black also took part in this line of questioning.

SAYS YOUTHS WERE ACCORDED EVERY RIGHT

At the time Mr. McGill was arguing that there had been no proper appointment of counsel by the trial judge.

Associated with Mr. McGill in the argument of the case for the condemned youths was Leon A. Ransom, a professor in the Howard Law school, who made the opening argument and bitterly attacked the admission into evidence at the trial of the youths of confessions allegedly extorted from them.

The argument for the State was made by Tyrus A. Norwood, Assistant Attorney General, who contended that the youths were accorded every fundamental right according to the usual course of law in such cases, but failed to prove that their rights had been violated.

Robert M. Darsey, an aged white man, was murdered on May 13, 1933, in Pompano, Florida, a small town in Broward county, about 12 miles from Fort Lauderdale. About 25 or 30 colored persons were immediately rounded up on suspicion. All of them were later released, except Isaiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard).

REMOVED TO MIAMI FOR SAFEKEEPING

Feeling among white people in Broward county ran high and there was talk of mob violence. Chambers and Williamson were removed to Miami for safekeeping but were brought back to the Fort Lauderdale jail the next day.

After a week of questioning, during which third-degree methods are alleged to have been used, all four of the youths signed confessions. They were indicted on May 22, 1933.

At their arraignment, Williamson and Woodward pleaded guilty. The trial of Davis and Chambers was set for June 12, 1933. On that day Davis entered a plea of guilty. Chambers was immediately put upon trial and convicted of first-degree murder.

The Circuit Court of Broward county on June 17, 1933, imposed the death penalty on all four of the youths. The date of their execution was fixed for August 4, 1933, but a writ of error was sued out in the Florida Supreme court. That court affirmed the judgment and death sentences of the Circuit Court.

CIRCUIT COURT FINDING REVERSED BY HIGH COURT

Later, upon a petition presented by Mr. McGill, the Florida Supreme Court permitted an application for a writ of error to be filed in the Circuit Court in their behalf. The application was denied on May 2, 1934.

From the order denying the writ, another writ of error was sued out in the Florida Supreme Court, which held that the issues were triable before a jury and reversed the Circuit Court.

The case was then heard on Feb 21, 1935, by a jury which returned a verdict for the State. From this judgment a further writ of error was sued out in the Florida Supreme Court, which again reversed the trial court and remanded the case.

DENIED APPLICATIONS FOR A REHEARING

The case was heard again on October 12, 1936, after its transfer from the Circuit Court of Broward county to the Circuit Court of Palm Beach county. From this judgment a writ of error was again sued out in the Florida Court, which on March 3, last, affirmed the judgment and on April 11 denied an application for a rehearing. The case was then brought to the United States Supreme court on a petition for a writ of cetiorari.

The case is being fought in behalf of the youths by the National Association for the Advancement of Colored People.

Counsel contended that the youths were not given a fair, impartial and deliberate trial, that they were denied the right of counsel with the accustomed incidents of consultation and preparation for arraignment and trial, and that the alleged confessions were obtained by force and duress and were inadmissible as evidence.

'SOME N . . . . R HAS GOT TO DIE FOR THIS . . .'

It is also contended that the pleas of guilty were also made under such circumstances as to render them illegal and insufficient.

The record discloses that Captain J. T. Williams, a convict guard, who participated in the alleged third-degree administered the youths, told Williamson. "Don't you know that some n—— has got to die for this and we just as soon it be you as anyone. All we got to do is blow a long white whistle and the whole mob of Pompano will be here for you in a few minutes."

Williamsom testified that the law enforcement officers tied a rope around his neck, pulled him up by it, and beat him until he was unconscious.

Woodward testified that he was taken out several times during the night of May 20 and about 2:00 o'clock in the morning he was told if he wanted to live until sunrise he had better confess. Captain Williams is alleged to have put his gun to Woodward's head and told him if he said another time that he had nothing to do with the crime he would kill him.

CHIEF JUSTICE GAVE McGILL ADDITIONAL TIME

There was similar testimony respecting the extortion of confessions from the other youths.

Although Mr. Ransom and Mr. McGill had used all the time allotted to them for argument, after the luncheon recess Chief Justice Hughes gave Mr. McGill additional time to point out in the record statements rebutting the contention of the State that the youths had been ably represented by counsel at their trial.

In the course of his argument Mr. Norwood blurted out that he could not conceive that the Supreme Court would go to the extent of disbelieving the testimony of their sheriff and other reputable citizens of Broward county and believing the testimony of "these n murderers."

Then followed a grilling of him by Chief Justice Hughes and Justices Stone, Black and Frankfurter as to his conception of third-degree methods and the rights of persons accused of crime, which indicated a probable reversal of the Florida courts.

Man, Woman Are Found Shot To Death In Car

Railroad Freight Crew Discovers Bodies Of Pair At Jacksonville

DEC 31 1940

JACKSONVILLE, Fla. — (AP) — Members of a freight train crew Tuesday found the bodies of a man and a woman, both shot to death, in an automobile parked near the tracks in the eastern section of the city.

Police said the man had been shot three times, once in the leg, once through the heart from the front and once through the head from the rear. They said the woman had been shot once through the mouth.

The officers identified the man as James B. Rogers, 42, a resident of Oceanway, near here, and the woman as Mrs. Flora Annette Dunn Dean, 29, who came here from Charlotte, N. C., about a month ago. They said she was a native of Bishopville, S. C.

Recalling that two other couples in parked automobiles, had been held up by armed Negroes at almost the same spot recently, police said their first theory was that a robber shot the man and woman sometime during the night. In one of the previous cases, a woman was wounded slightly by a shot fired by a Negro gunman.

Two other persons were struck by moving trains. The accidents were not connected.

John Lewis Nash, 87, of Chattanooga, was fatally injured when he apparently walked into the side of a passenger train as it passed through the Hart Haven section where he arrived Monday to visit his son, Robert Nash.

An 18-year-old Negro boy, listed by Seaboard Air Line Railroad officials as Arthur Lee Foye, of Dawson, Ga., had one foot cut off and the other badly crushed when he fell from a moving freight train here. The railroad men said he was "riding the rods."

So Willie Goldstein, White Merchant, Who Shot And Killed Race Man, Absolved Of Blame

His Story Believed By Coroner's Jury After Enraged Citizens Had Broken All Windows in His Store, Only to Be Dispersed With Tear-Gas Bombs.

MIAMI, Fla., Feb. 22.—Willie Goldstein, white storekeeper, charged with the fatal shooting on Feb. 8 of 22-year-old Richard Johnson, which caused a near riot in the colored residential section where Goldstein's store is located, was freed of all blame Tuesday when a coroner's jury rendered a verdict of justifiable homicide in the white man's favor.

Goldstein claimed that Johnson snatched a watch from a show-window and that he, Goldstein, drew a pistol and demanded that he return it. Instead of doing so, he told the jury, Johnson closed in on him and attempted to wrest the pistol from his hand. In a struggle that ensued for possession of the weapon, he said it was discharged, wounding Johnson fatally. There were no other witness to the shooting.

Within a short time after Johnson received the mortal wound, word of what had occurred spread through the neighborhood and a crowd of more than 100 men and women surrounded the store into which Goldstein had locked himself, barricading the door. Frustrated in their efforts to get at Goldstein, the enraged neighbors of the man who had been shot hurled stones and sticks at the store building, breaking out all exposed windows.

A dozen or more men were attempting to enter the place through a broken window when police reserves, answering a riot call to the scene, arrived and dispersed the crowd with tear-gas bombs.

Florida Newspapers Silent Following Decision of Justice Black In Third Degree Cases

Tortured Testimony Is Custom Followed By Law Enforcement Agencies

McGill Fought 7 Years For Decision

GALVESTON, Texas—(By John Henry Adams for ANP)—Florida's reaction to the decision of the U. S. Supreme Court reversing the conviction of four colored men for the murder of a white man at Pompano, Fla., more than seven years ago, after several trials in Broward county courts and several appeals to the state supreme court, shows itself strikingly in the general silence of the newspapers of Florida.

While leading newspapers of the nation have reviewed the decision and commented editorially on the questions raised and the participation of Justice Black, only two Florida papers, as far as our information goes, talked up and talked back.

The Miami Herald and the Jacksonville Journal are the two. The Herald, published in the judicial district in which the murder and the trial took place, said: "The opinion . . . will come as a shock to residents of Pompano, who had regarded the verdict as just in the first instance" and "The present ruling is the first opportunity he (Black) has had to write an opinion that is diametrically opposed to the tenets of the Ku Klux Klan." From the latter sentence it might be inferred that the rule of Florida is Klan inspired and dominated.

It is the custom in Florida to torture colored witnesses to the point of signing on the dotted line as written for them by the Kuminity Ku Klux as binding evidence. The custom has worked so well that Florida law enforcement officers made it routine and the courts approved, even the state supreme court.

You cannot much blame Florida newspapers for being silent. The decision tore up much of the ground-work upon which most of their anti-Negro propaganda rested. For three-quarters of a century they have played up in glaring headlines charges and convictions and sentences against colored people on court records similar in most particulars to the Pompano case.

In giving credit to the U. S. supreme court for this decision, be it remembered that hundreds of other convictions of the same sort of forced confessions have been confirmed by the state supreme court, and the suspects have paid the assessed penalties in prison terms or death. The same constitutional law was in force then as now. The judges on the state supreme court then as now had sworn to uphold the constitution of the United States. Somebody has betrayed their oath of office and the entire court suffers from disrespect and loss of public confidence.

Maybe the lawyers who have been representing colored people are to be blamed for the miscarriage of justice so long. Which of the many of them to handle a criminal case where the suspect confessed under duress, went to the last resort for justice? The question is open for an answer. It is not here.

So then our attention turns naturally to the lawyer in the Pompano case. In the other cases, the lawyers did not know us, did not associate with us in church or society, did not go with us to school or to play as boys and had no reasons to be concerned about our fortunes or our lives. Tradition has drawn a fast line between us separating from ours in their favor the opportunities for the pursuit of happiness.

In the Pompano case, Sidney, a boy who romped over the plains and played hooky with us, shot marbles and played baseball with us, worked on the farm and went to college with us, and now a man in the practice of law among us, goes to the bat in the courts of Florida by way of the Pompano trial in defense of all of us.

The mob surged about the court at the first trial but a coviction and sentence to death were satisfying. A new trial was granted. Again the mob came in double numbers but state soldiers stood on guard as the second conviction became of record. Appeal to the State Supreme Court resulted in the upholding of the conviction.

For more than seven years this case has been shifted first here and then there until it found its way into the United States supreme court where Attorney S. D. McGill stood confident that there was saving virtue in the constitution of the United States.

The case was won with a home boy up to bat. The implications herein ought to have great weight with the intelligent leaders of col-

The s[illegible] enumeration showed a total of [illegible],950 colored workers engaged [illegible]her professional fields making [illegible]l Negro professional populati[illegible] 104,755. There were 54,439 s[illegible]eachers, 25,034 clergymen, 1[illegible]3 musicians and teachers of mu[illegible], 5,728 trained nurses, 2,146 college professors and presidents, 1,773 dentists. and 1,247

KILLINGS- 1940

Snatched 4 Times From Chair

Atlanta World 1-11-40

Justices Query On Eight-Day Torture Claim

Atlanta, Ga.

WASHINGTON, D. C. — (SNS) — Florida's famous "Scottsboro" Case, involving the tortures of four Negro youths who have faced death five times since they were picked up in Broward County, Florida and charged with the murder of a Greek fish peddler, from the small town of Pompano, was heard before the United States Supreme Court, this week.

Representing the defendants, Izell Chambers, Jack Williamson, Charlie Davis and Walter Woodard were: S. D. McGill, of Jacksonville, Florida, who four times snatched the youths from the electric chair, and Leon A. Ransom of the NAACP National Legal Committee. Thurgood Marshall special counsel for the NAACP, appeared on the brief. McGill and Ransom argued the case before the high court.

Associate Justices Frankfurter Black and Roberts repeatedly questioned Tyrus A. Norwood, assistant attorney general of Florida about the eight days of torture endured by the youths in the Florida jail, which resulted in wringing "confessions" from the boys, and the loss of mentality of one of them.

NORWOOD GETS ANGRY

In a callous response to one question from Justice Black and Justice Roberts, Norwood said "The defendants had a right to apply for a writ of habeas corpus and when he failed to do so he waived his constitutional rights.'

The climax to the Florida assistant attorney's belligerent attitude came when he told the court in response to a question regarding the torture of the boys;

"I don't think it is this court's business to say to the sheriff of Broward County that 'We don't believe you and we do believe this N--- murderer'."

Atlanta World

During the four times that Attorney McGill carried the case to the Supreme Court of Florida he won four reversals, but the fifth time the case came before the state's high tribunal the court upheld the death sentence decision of the lower court. However, there was a sharp dissenting opinion handed down by Justice Brown.

1/11/40

Atlanta, Ga.

It was then that McGill, who had helped to finance the case with his personal funds, together with financial aid from Florida branches of the NAACP, enlisted the aid of the Association's national office.

WHITE COMMENTS

Commenting on the presentation of the case before the high court, Walter White, who was a spectator said:

"We cannot underestimate the tremendous importance of carrying these cases involving the protection of basic citizenship rights, to the U. S. Supreme Court. I wish we could have fifty such cases brought before the high court every year. I believe it would do a great deal to strengthen the arms of justice in all parts of the country."

White also praised the work of McGill and Ransom, pointing out that their splendid presentation of the case again showed that we have men in the law who are not only able, but willing to give of their time and money and service "to fighting these cases without pay"

FLORIDA

Highest Tribunal Reverses Sentence In Torture Case

Mr. Justice Black Assails Florida's High-Handed Methods in Forcing Confessions from Four

WASHINGTON.—On the anniversary of Abraham Lincoln's birth, the United States Supreme court, in an opinion written by Justice Hugo Black, repledged itself as a defender of American civil liberties and as a haven of refuge for victims of prejudices and public sentiment.

In one of the most strongly worded opinions ever handed down from the highest tribunal of the land, Mr Justice Black, Monday, February 12, declared null and void the conviction of four Florida Negroes who were tortured, beaten and persecuted by Florida officials who forced confessions of murder from them. There was no dessenting opinion.

Justice Black condemned the procedure used by Florida officers to force confessions from Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodard who were convicted May 13, 1933, for the slaying of Robert Darsey, white, at Pompano, Fla.

'Havens of Refuge'

"Today," said Black, "as in ages past, we are not without tragic proof that the exalted power of some governments to punish manufactured crime dictatorially is the handmaid of tyranny.

"Under our constitutional system, courts stand against any winds that blow as havens of refuge for those who might otherwise suffer because they are helpless, weak, out-numbered, or because they are non-conforming victims of prejudice and public excitement."

"No higher duty, no more solemn responsibility, rests on this court, than that of translating into living law and maintaining this constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our constitution — of whatever race, creed or persuasion."

Florida Denied Torture

Justice Black reviewed the record in the Florida case. He noted that the four men were beaten with rubber hoses, threatened with death and kept for hours without being permitted to sleep. Of this torture, Justice Black said the men were "subjected to interrogations" for five days under circumstances "such as to fill petitioners with terror and frigntful misgivings."

The Florida supreme court reviewed the case three times and each time denied that any tortuous acts had occurred.

Justice Black concluded his 2,500-word opinion with these words: "The supreme court of Florida was in error and its judgment is reversed."

WHITE MERCHANT IN MIAMI KILLS MAN; RIOTING AVERTED

MIAMI, Fla., Feb. 15.—Miami narrowly missed a race riot Thursday night when hundreds of Negro citizens converged on the jewelry and clothing store of Willie Goldstein after he had shot and fatally wounded Richard Johnson, 30-year-old newcomer from Los Angeles.

Twenty-five policemen and four deputies sheriff who responded to an urgent call from Goldstein found him imprisoned in the store dodging bricks and other missiles which residents of the district hurled through the windows.

The crowd refused to disperse until the police had sent for a tear gas detail. Tear gas bombs exploded in the crowd and pistols fired in the air broke up the mob.

Reports of the cause of the shooting differ. Friends of Johnson assert that he had purchased a pair of mismatched socks from Goldstein and that the store owner refused to change them. The two men are supposed to have argued and then fought. When Johnson got the better of the fight, Goldstein reached for a pistol and shot Johnson in the stomach.

Goldstein told police that he caught Johnson trying to steal a watch.

After the crowd in front of the store was dispersed, all stores and shops in the Negro district were closed and extra details of police went to patrol the area.

KILLINGS- 1940

Snatched 4 Times From Chair

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1-11-40
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1-11-40
Atlanta, Ga.

During the four times that Attorney McGill carried the case to the Supreme Court of Florida he won four reversals, but the fifth time the case came before the state's high tribunal the court upheld the death sentence decision of the lower court. However, there was a sharp dissenting opinion handed down by Justice Brown.

It was then that McGill, who had helped to finance the case with his personal funds, together with financial aid from Florida branches of the NAACP, enlisted the aid of the Association's national office.

WHITE COMMENTS

Commenting on the presentation of the case before the high court, Walter White, who was a spectator said:

"We cannot underestimate the tremendous importance of carrying these cases involving the protection of basic citizenship rights, to the U. S. Supreme Court. I wish we could have fifty such cases brought before the high court every year. I believe it would do a great deal to strengthen the arms of justice in all parts of the country."

White also praised the work of McGill and Ransom, pointing out that their splendid presentation of the case again showed that we have men in the law who are not only able, but willing to give of their time and money and service "to fighting these cases without pay"

FLORIDA

Highest Tribunal Reverses Sentence In Torture Case

Mr. Justice Black Assails Florida's High-Handed Methods in Forcing Confessions from Four

WASHINGTON.—On the anniversary of Abraham Lincoln's birth, the United States Supreme court, in an opinion written by Justice Hugo Black, repledged itself as a defender of American civil liberties and as a haven of refuge for victims of prejudices and public sentiment.

In one of the most strongly worded opinions ever handed down from the highest tribunal of the land, Mr. Justice Black, Monday, February 12, declared null and void the conviction of four Florida Negroes who were tortured, beaten and persecuted by Florida officials who forced confessions of murder from them. There was no dissenting opinion.

Justice Black condemned the procedure used by Florida officers to force confessions from Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodard who were convicted May 13, 1933, for the slaying of Robert Darsey, white, at Pompano, Fla.

'Havens of Refuge'

"Today," said Black, "as in ages past, we are not without tragic proof that the exalted power of some governments to punish manufactured crime dictatorially is the handmaid of tyranny.

"Under our constitutional system, courts stand against any winds that blow as havens of refuge for those who might otherwise suffer because they are helpless, weak, out-numbered, or because they are non-conforming victims of prejudice and public excitement."

"No higher duty, no more solemn responsibility, rests on this court, than that of translating into living law and maintaining this constitutional shield deliberately planned and inscribed for the benefit of every human being subject to our constitution — of whatever race, creed or persuasion."

Florida Denied Torture

Justice Black reviewed the record in the Florida case. He noted that the four men were beaten with rubber hoses, threatened with death and kept for hours without being permitted to sleep. Of this torture, Justice Black said the men were "subjected to interrogations" for five days under circumstances "such as to fill petitioners with terror and frigntful misgivings."

The Florida supreme court reviewed the case three times and each time denied that any tortuous acts had occurred.

Justice Black concluded his 2,500-word opinion with these words: "The supreme court of Florida was in error and its judgment is reversed."

WHITE MERCHANT IN MIAMI KILLS MAN; RIOTING AVERTED

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MIAMI, Fla., Feb. 15.—Miami narrowly missed a race
iot Thursday night when hundreds of Negro citizens con-
verged on the jewelry and clothing store of Willie Gold-
stein after he had shot and fatally wounded Richard John-
son, 30-year-old newcomer from
Los Angeles.

Twenty-five policemen and four
deputies sheriff who responded to
an urgent call from Goldstein
found him imprisoned in the store
dodging bricks and other missiles
which residents of the district

nurled through the windows.

The crowd refused to disperse
shooting differ. Friends of John-
son assert that he had purchased

U. S. SUPREME COURT SAVES 4 NEGROES FROM EXECUTION

WASHINGTON, D. C., Feb. 1[illegible] —The Supreme Court of the United States sharply denounced "secret, inquisitorial" police methods in reversing the conviction of four Florida Negroes sentenced to death for the robbery-slaying of a white man.

The court found, in a Lincoln's birthday session, that confessions obtained from the prisoners through five days of continuous grilling, even if accompanied by physical mistreatment, violated their constitutional rights to "due process of law." The unanimous opinion was read by Justice Hugo L. Black.

The prisoners were Isiah (Izell) Chambers, Jack Williamson, Charlie Davis and Walter Woodward (Woodard). They were rounded up with more than 20 other Negroes immediately after the killing of Robert Darcy, elderly white man, who operated a fish market at Pompano, Fla., in 1933. They were tried three times once before a judge in Lauderdale, Fla., again before a Broward county jury and on a change of venue before a Palm Beach county jury.

The Supreme Court decision upset a ruling by the Florida Supreme court denying the four defendants a new trial. The high court found the circumstances under which they confessed, such as to fill the prisoners with "terror" and "the haunting fear of mob violence was around them.'

NEGROES' TRIAL UNDECIDED

Florida Official Defers Action After Supreme Court Ruling

FORT LAUDERDALE, Fla., Feb. 13 (UP)—Louis F. Maire, assistant State attorney, said today that the question of a fourth trial for four Negroes whose murder convictions were reversed by the United States Supreme Court was undecided.

The Supreme Court, reversing the Florida convictions of Isiah Chambers, Jack Williamson, Charlie Davis and Walter Woodward, held that the Negroes were compelled to confess the murder of Robert Darsey at Pompano, near here.

"If there is enough evidence left without the confessions to warrant it, there is a possibility of a new trial," said Mr. Maire. "However, that will not be determined until we have received the court's opinion and have studied the case."

The Negroes will not be freed pending a decision, Mr. Maire believed.

The Negroes are occupants of "death row" at the State Prison Farm at Raiford. They have been there almost continuously since 1933.

Vet Killed by White Deputy

Fla. Man Ordered from Home; Shot as He Submits to Officer

TALLAHASSEE, Fla. — Boysy P. Potts, 56-year-old World War veteran and deacon of a local Baptist church, was shot twice and killed in his home here Thursday by Robert Lee, white 24-year-old deputy sheriff.

Lee and Clarence Pichard, owner ofa lumber company, called at the Potts home, 300 block Copeland Street, to claim payment for a sign accidentally broken by Mr. Potts at the latter's store, and although he had no warrant, Lee ordered Potts to go with them to headquarters.

Shot Twice

As Mr. Potts walked toward the door, Lee shot him without any warning in the chest and abdomen. He was taken to the Florida A. and M. Infirmary where he died four hours later.

According to his wife, Mrs. Gracey Potts, the victim, who was recovering from an illness, had returned home from the Pichard lumber company to get money to pay for the sign. When he learned that Lee had come to arrest him, he asked that the two men wait until his wife returned but they refused.

Claims Self-Defense

Mr. Potts, who had lived here over twenty years, owned his home, was manager and owner of a grocery store and was well thought of in the community.

When asked for a statement concerning the shooitng, Sheriff Frank A. Stoutmire said that Lee shot Potts in self-defense. "The n——r had no right fighting with an officer," he said.

Killing Of Grocer By Deputy Irks Floridians

TALLAHASSEE, Fla. —(SNS)— Residents of this otherwise peaceful city were aroused to anger during the past week end when 56-year old Boysey P. Potts, widely known Florida merchant, World War veteran and deacon of a local church, was shot and killed in his own home by Deputy Sheriff Robert Lee, Friday.

According to his widow, Mrs. Grace Potts, her husband was just recovering from a long illness and was not "yet able to be about."

Potts, it was explained, had accidentally smashed a sign, the property of the local white lumber concern, and after agreeing to pay for the damage, had returned home to get the money.

Apparently fearing that Mr. Potts would forget to return, the sheriff was notified by the lumber concern and Deputy Lee accompanied by Clarence Pichard, a member of the firm, called at the Potts home in the 300 block on Copeland street.

Potts, who had hardly reached home, asked the officer to withhold the arrest until his wife returned. Deputy Lee, the dying man told his wife, drew his pistol and commanded him to "come on, right now. I haven't got time to wait on you n....r"

As her husband submitted to the arrest, his wife said, the deputy without warning opened fire, the bullets entering Potts' left chest and abdomen. Rushed to the Florida A. and M. Infirmary, he died four hours later.

When phoned by newspapermen for a statement, Sheriff Frank A. Stoutmire was quoted as saying that the deputy fired in "self defense."

"I have no statement to make other than the n——r had no right fighting with an officer," the sheriff said.

Mr. Potts, who was the manager and owner of a grocery store, which bore his name, had been a resident of Tallahassee for twenty years. The couple had no children.

Upon hearing of her husband's death, Mrs. Potts bitterly sobbed "They've taken all I had, O Lord." The remains are in charge of Mitchell's Funeral Home.

Brooksville, Fla., Journal
September 12, 1940

GIBBS WANTS INFORMATION ABOUT TRIAL OF NEGROES

Tallahassee, September 3 — Attorney General George Couper Gibbs said today he has asked State Attorney Phil O'Connell of West Palm Beach what steps he planned for a new trial which the United States Supreme Court ordered for three negroes charged with killing a Broward county white man in 1933.

The negroes, the attorney general revealed, were transferred today from the death house of the State Prison, where they have been held for seven years, and now are in other cells in the status of prisoners awaiting trial.

Prosecution of the negroes is a matter for local authorities in Broward and Palm Beach counties officials here said.

The negroes already have been tried three times—twice in Broward County and once in Palm Beach County on a change of venue—but their last conviction and death sentences were reversed by the United States court in a decision last February. Since then, the men had remained in the death house without new trial proceedings in the Circuit Court.

The United States Supreme Court said the record showed that the negroes were forced into confessions of the killing of Robert Darcey, Pompano fish dealer, early in 1933.

S. D. McGill, Jacksonville negro lawyer representing the three men—originally there were four but one became insane several months ago — conferred here with Attorney General Gibbs, and Gibbs said afterwards that he had asked State Attorney O'Connell about the case. McGill made no comment after leaving the attorney general's office.

The negroes in the case are Isiah Chambers, Walter Woodward, Jack Williamson and Charlie Davis.

Chambers became insane several months ago, State officials said, and was transferred to the State Hospital for the Insane, An insane man cannot be tried for a crime.

KILLINGS- 1940 FLORIDA

TED POSTON INTERVIEWS S. D. McGILL AND GETS AN 'EXCLUSIVE' FOR COURIER

By TED POSTON

JACKSONVILLE, Fla., May 30.—After seven terror-ridden years in the death cell, three of the four defendants in Florida's "Little Scottsboro Case" are scheduled to receive their freedom next week at a hearing in the Circuit Court at Fort Lauderdale.

A motion to dismiss the murder charges against the four youths on the basis of the famous Lincoln Birthday U.S. Supreme Court decision will be made by S. D. McGill, brilliant Jacksonville attorney who successfully stayed the execution of the boys for six years.

"The alleged 'confessions' tortured out of these boys was the only basis for their trial."

Attorney McGill told The Courier this week, "Since the highest tribunal in the land has so scathingly outlawed the third degree and torture confessions,' the state will have no further basis to hold the youths.

"I would have requested their freedom earlier but it was necessary to wait forty days for the Federal Courts ruling to be relayed to the Florida Supreme Court, and thirty days for the latter to instruct the Broward County Circuit Court. I do not believe that the state will attempt to try them again."

THREE WILL GO FREE; ONE IN INSANE ASYLUM

The three youths scheduled to be freed after seven long years are Charles Davis, Jack Williamson and Walter Woodard. Technically Izell Chambers, the fourth defendant, will be freed also. But Chambers is already in the State Hospital for the Insane at Chattahoochee, Fla.

The youth, informed through a radio broadcast of the famous decision delivered by Associate Justice Hugo Black, a former member of the Ku Klux Klan, rejoiced so hysterically in the death cell that his mind snapped under the long strain.

"He will probably spend the rest of his life in the asylum," Attorney McGill old The Courier. "I have received the latest reports from the hospital psychiatrist and superintendent and they offer no hope for his eventual recovery."

"THEIR ONLY CRIME THE COLOR OF THEIR SKIN"

So, if the Circuit Court jurist honors Attorney McGill's plea next week, his action will write finis to one phase of "Florida Justice" which followed the slaying of Robert Dorcey, a white man, in Pompano, Fla., just seven years ago last May 13. It will also give the lie to Capt. J: T. Williams, the brutal convict guard who volunteered to beat "confessions" out of four youths whose only crime was the color of their skin. During the course of these beatings which lasted for one week, Williams told Williamson:

"Don't you know some nigger has got to die for this? And we just as soon it be you as anyone. All we got to do is blow a long whistle and the whole mob of Pompano will be here for you in a few minutes."

The brutal convict guard is now a fugitive (he quit his job and fled the state in 1934 when Attorney McGill began his brilliant investigation of the boys' "confessions"), but his mark remains upon the bodies and spirits of the youths he once condemned. And the unspeakable torture of Williamson is typical of that visited upon his three companions.

BEATEN OVER HEAD WITH LOADED BICYCLE TIRE

According to the youth's testimony, he was dragged from his bed on Sunday night, May 14, 1933, and herded into the Fort Lauderdale jail with thirty other Negroes. Williamson was then taken to a room where Chief of Police Maddox held a pistol muzzle at his neck while Sheriff Bob Clark beat him over the head with the butt of another revolver.

Later, the convict guard, who had no official connection with the law enforcement officers, brutally beat Williamson over the head with a loaded bicycle tire and stomped on his body when he fell to the floor.

After the beatings had continued for a full day, the officers rushed the youth to Miami for "safekeeping," and Williams told the Miami jailers:

"Take that light-skinned so-and-so and put him in one of the death cells."

The boy was returned to Fort Lauderdale the next day and beaten continually with the loaded bicycle tire and Williams' fist. And he was walked back and forth and beaten all night and Thursday by the convict guard and other officers.

FROM SUNDAY TO SATURDAY; AND THEN HE "CONFESSED"

Finally on Friday, he fainted during the course of the beatings. A grass rope was then placed around his neck and he was pulled up from the floor by the neck while the beatings still continued. And unable to stand this horror any more after Saturday, he confessed that he had committed the murder.

A recital of this torture on the witness stand by Williams and his companions who had suffered similarly, caused the Florida Supreme Court to reverse their conviction four times as Attorney McGill battled to save their lives. On a fifth appeal, after a change of venue, the FLORIDA SUPREME COURT UPHELD THE VERDICT.

But when the embattled attorney, assisted by the N.A.A.C.P., finally carried the case to the highest tribunal in the land, the

Court Dooms 'Fagin' in Florida Murder Case

New York Amsterdam News
N.Y.N.Y 9-7-40

By WILLIE REMBERT
(Staff Correspondent)

JACKSONVILLE, Fla.—"We have found no reason to interfere with the sentence of the court."

The words from a decision of an Appeals Court sounded and resounded, playing an intriguing enigma on the mind of one Clyde Hysler (white) who for two years through the companionship of Lady Luck has flirted with death in the shadow of the electric chair.

But alas, the dame deserted him Tuesday and he, same as one of the executors of his orders must pay the maximum penalty for engineering the murder of Mrs. John H. Surrency, white store keeper, during an attempted robbery in November of 1936. Hysler was convicted of being the brains behind the crime in which two Negroes killed Mrs. Surrency and severely wounded a relative.

The State Pardon Board's decision to ignore Hysler's petition for commutation of the death sentence to life imprisonment left his life hanging by the slim shreds of a stroke of the Governor's pen on the death warrant.

Negro Escaped

Having been to the bank and cashed a large number of pay checks for employes of the Fruit Growers Express Mrs. Surrency and her relative were on their way back to the store when they were approached in Grand Crossing Section by Alvin Tyler and his accomplice, James Baker. Both fell under fire from Tyler's pistol, who along with Baker was taken away from the scene by Hysler.

Upon being arrested Baker and Tyler confessed their part in murder and also told of the white's connection with the robbery. According to his testimony Tyler was given a flat guarantee of $50 by Tysler as his share of the loot, which was to be spit with his partner.

Both perpetrators escaped from the County jail shortly after Hysler was apprehended and tried for the crime. Baker was caught soon afterwards, but Tyler still remains a fugitive.

Cone's Statement

The exact times that Hysler and Baker, who also was sentenced to compensate society with his life, must wade into the orthodox "Last mile" will not be known until the warrants go back to the Capital and again are signed by Florida's governor, Fred P. Cone.

"I haven't decided anything yet," said Cone after the Board rejected Hysler's petition for commutation, "How can I when the matter has not been presented to me? We have just acted on the other plea."

Twice before, Clyde Hysler has dodged his death by electrocution. In February, 1939, he was given a thirty day reprieve; when the time expired other technicalities and formations arose in his favor to stay the execution. His plea for life sentence remained before the Pardon Board two years, only to be denied last Tuesday.

Baker was sentenced to die but no date had ever been set.

However, as the Pardon Board and the Supreme Court have finally acted in holding up the death sentence Cone is expected to affix an early signature on the warrants of the white and Negro.

Society's Part in Murder

It is not fair to blame Negroes for the murder record of cities like Washington, Cincinnati and St. Louis. True they have an appalling number of murders and a large Negro population. It may even be admitted that there are too many killings of Negroes by Negroes. But it is the community, not they, who is at fault in the same sense that it is the person directing it, not the pistol that kills.

Negroes are human beings. They need the inspiration of work at fair wages, of housing that is good for health, of environment that makes for culture. In Washington, Cincinnati and St. Louis, and for that matter in most cities, life for Negroes is on a lower level of hope and opportunity than for the rest of the population. The result is inevitable. They are called equal, but they reflect what conditions make them be, and cannot possibly do otherwise.

When a white man "goes on the beach," that is gets out of a high class environment, no matter what his birth and upbringing, he becomes like those with whom he must contend for the crumbs that sustain life. Negroes, too, rise or fall according as conditions are about them. Take Kansas City: For its white citizens it has public and private aids to good living. It would be ashamed not to have art, education and amusement for them. But with a few exceptions they are not for Negroes. Yet the standard of worthwhileness is the same for the latter group as for the former.

Negroes are crowded into a restricted area, inadequate in size. They are denied access to the many diversions which other people find necessary to a well balanced life. They cannot find work and promotion like others do. As a consequence with the natural outlets for ambition closed to them, they go to war within themselves.

All their surroundings make for quarrels. Poor unfortunates, they cannot be themselves, any more than any other animal is in an unfavorable environment. Murder is not their fault, any more than the sick are to blame who are forced into bad homes. It is society that is at fault. It starves, it degrades, it denies opportunity, and therefore it kills, because it brings into play the pistol and the knife.

Macon (Ga.) Telegraph
November 7, 1940

Covering Up Murders

In the letter column of Wednesday's Telegraph appeared a letter from the Rev. J. T. Saxon, one of the most highly esteemed representatives of the Negro race in Macon, in which he calls attention to the deplorable number of homicides within his group.

He puts it strongly when he says it costs less to kill a Negro in Macon than it would "to steal a pen-knife" and then proceeds to ask the reason.

Let it be remembered that the whole charge is an indictment of the frequency with which Negroes are slain by Negroes. The so-called race question does not enter into the matter.

Only a few days ago a communication in the letter column from another leader of the colored people dwelt specifically upon the difficulty the prosecuting attorney finds in getting evidence to convict in these circumstances. Both of these correspondents make it plain that the friends and relatives of a murder victim immediately rally to the defense of the man-slayer by "covering up" for him. By some queer crimp of mind they feel that racial solidarity requires them to perjure themselves when they are called upon to testify in a murder trial.

Our esteemed contributor of Wednesday urges that appeals be made from white and colored pulpits and from all law-abiding citizens for a new and more wholesome attitude on the part of the Negro race in order that human life may be made safe.

And yet this refusal to co-operate with the forces of law and order where human life is concerned tends to place a stigma on the name of the entire city.

Does Mr. Walsh Want a State Religion?

DEC 10 1940

To those Americans who believed that the Rapp-Coudert assault against the New York schools was merely aimed at a few professors, it should come as a shock to hear that at least one responsible state official considers this probe a means of making the Catholic religion the state religion.

Secretary of New York State, Michael J. Walsh, is that official and he told the Notre Dame Alumni exactly how he hopes to combat the influence of Protestantism behind the alleged drive against "communism." To a certain type of reactionary hierarch, any non-Catholic belief is "communism."

The New York Times reports the incident as follows:

Daily Worker

"Contending that Protestantism as a Christian influence in the United States was almost dead, Secretary of State Walsh declared 'that the future of Christian civilization in this country depends on Catholic college graduates.'" (Dec. 9.)

This is indeed startling doctrine from a paid government official. It is subversive of the fundamentals of democratic government as understood by Jefferson and Lincoln.

The utterance of such statements merely proves what the Communist Party has been warning all along—that the attack against the civil rights of Communists inevitably results in the wiping out of all rights, including the right of religious liberty for the rest of the population.

New York, N.Y.

One of the cornerstones of democracy is the separation of Church and State. Mr. Walsh's utterance is aimed at this basic American conception. It is all the more startling in that it comes from a member of a minority religion. The real menace of it lies in the fact that it would revive the hated bigotries of the past, inciting religious strife and abolishing religious liberty.

The arrogant bigotries of Mr. Walsh are merely the other side of the equally arrogant anti-Catholic bigotries of the Ku Klux Klan. Neither is representative of progressive American opinion, Catholic, Protestant or non-religious.

DEC 10 1940

But this is a warning of the deadly poisons which are brewed by witch-hunts like the Rapp-Coudert type, once they get started.

Chattanooga, Tenn., Daily Times
December 21, 1940

MURDER'S 'APPALLING RATE'

Chattanooga is by no means the only city in which the number of homicides has become a matter of grave public concern. In Charlotte and Mecklenburg, North Carolina, there had been forty-six murders and homicides this year through December 16. Discussing the problem, *The Charlotte Observer* asserts that ". . . . Negroes are notoriously at fault. . . . Respect for law and fear of punishment seem to have little effect as a deterrent among the more lawless element of these people."

The same finding and the same opinion have been expressed by public officials and leading citizens in Chattanooga, including members of the Negro race. In this city, fifty-two Negroes had been slain this year through December 17. Eugene J. Bryan, Commissioner of Fire and Police, has repeatedly stated that more policemen are needed for dutv in the Negro community. Mr. Bryan has also sharply criticized the leniency of courts; according to his statement, "not a Negro has been electrocuted for murder in Chattanooga in the past twenty years."

In connection with conditions in Charlotte, *The Charlotte Observer* discusses the function and work of the officers of the law. That newspaper states:

> The State's attorneys, who are society's pleaders for justice and prosecutors of crime in and before the courts, must become more resolute and far less easy-going in the administration of their duties. Judges, too, must become more rigid and less soft-hearted in measuring out punishment to those found guilty. Those who carry the instinct of murder in their hearts must be made to feel and to know that if they commit this crime, they will be punished accordingly, surely, inexorably punished! And all of those to whom is entrusted the enforcement of the law, whether policemen, prosecuting attorneys, or judges on the bench, must be supported by a vigorous, determined, and relentless public sentiment to prod them and to uphold them when they unitedly move toward a more exacting performance of their sworn duties. . . .

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And yet this refusal to co-operate with the forces of law and order where human life is concerned tends to place a stigma on the name of the entire city.

Find Unknown Man Dead Near Grady

DEC 7 1940 Daily World

Police officials and employes of Sellers Brothers funeral home Friday were trying to identify the body of a man, about 65 years old, which was found during the day in a vacant field near Grady hospital. The unidentified body is of dark brown complexion. There is a prominent depression on the forehead between the eyebrows. Atlanta, Ga.

Two dress coats and a raincoat were found on the body.

Auto Salesman Shot Dead on Monroe Road

Robbery Motive Doubted as Sheriff Bittick Pushes Investigation

NOV 28 1940

FORSYTH, Ga., Nov. 27.—(AP)—Shot through the head and stomach, the body of Lloyd Attaway, 30-year-old Dublin auto salesman, was found early this morning seven and one-half miles north of Forsyth on the Indian Springs road, according to Sheriff L. C. Bittick, of Monroe county. Macon Telegraph Constitution

About 150 yards beyond the spot where the body was lying investigators found a small sedan with bullet holes in the right rear tire. The lights still were burning. Atlanta

A diamond ring was found on the victim's hand, indicating, according to Sheriff Bittick, that robbery was not the motive of the killing. Ga.

The interior of the car was muddy, and showed signs of a struggle, the officers said.

No blood stains, however, were found in the car, he related.

Attaway, identified as a salesman for the Morris Motor Company of Dublin, left his home last night for Atlanta, according to Corporal H. L. Beatty, of the Dublin station of the State Highway Patrol.

He is survived by his parents, a brother and two sisters.

Police List 87th Race Homicide

Daily World Atlanta, Ga.

DEC 27 1940

John Williams, 39, of 446 Millers Alley, died of a blow received from an ax wielded by his father, Fred Williams, 59, on Christmas Day, according to city police reports.

87

The father said the son came home and attacked him with a knife, police reported. Several witnesses verified the self-defense statement of the father.

Williams' death was the 87th homicide for colored Atlantans during the current year.

86th Homicide Listed

DEC 26 1940

The 86th colored violence killing of the current year had been recorded by city police Christmas.

Fairburn Robinson, 27, of Number 3 Boynton Alley, S. W., was pronounced dead at Grady Hospital late Christmas Eve night after he had been rushed there with a stab wounds of the left hip and the left side of the head.

86

According to police reports, Robinson was stabbed in an Orange Street store near his home. It was stated that he had been fighting with three men Tuesday night. The alleged assailants were listed as Virgil Copeland, of 366 Orange Street, and two men known only by their aliases, "Fats" and 'Jack.' Daily World

Police said they were informed the victim had been taken to Grady Hospital earlier Tuesday night, being treated for drunkenness and injuries received in a fight. Atlanta, Ga.

Nelson Walton, 17, of 30 Butler Street, N. E., died at Grady Hospital Christmas day morning from gunshot wounds of the abdomen, according to reports.

Walton was found in a serious condition on the porch at 70 Piedmont Avenue early Saturday morning. It was believed he was the person shot by Walter Brassey, of 64 Butler Street, who opened fire at a burglar tampering with his coal house, according to officers' information.

KILLINGS- 1940

GEORGIA

NEGRO FACES TRIAL IN TRAINER MURDER

Codefendant of Suspect Lays Dual Crime to James Fisher.

Special to THE CONSTITUTION.

COVINGTON, Ga., Jan. 8.—James Fisher, Atlanta negro, one of two men accused of the brutal murder of Mr. and Mrs. John E. Trainer, went on trial in Newton superior court here today to face an array of about 20 state witnesses, including his codefendant, Joe Mathis, negro, also of Atlanta.

Mathis, among the first witnesses called, accused Fisher of committing both crimes. The prosecution charges Mathis with the murder of Trainer, and Fisher is accused of the slaying of Mrs. Trainer.

Trial of Fisher is expected to end tomorrow and Roy Leathers, solicitor, stated the trial of Mathis will follow.

Solicitor Leathers is assisted by C. C. King, and the defense is represented by R. M. Tuck and Donald G. Stephenson. Judge James C. Davis is presiding.

Mr. and Mrs. Trainer, operators of a filling station, were shot to death when they resisted an attempted robbery the night of September 13.

NEGROES EXECUTED FOR DUAL SLAYING

Tattnall Chair Exacts Payment for Covington Killings.

Special to THE CONSTITUTION.

REIDSVILLE, Ga., Feb. 9.—(AP) Two Negroes died in the electric chair here today, closing the official records in the shooting and bludgeoning of an aged Covington, Ga., couple last September 12.

One of the Negroes, Joe Mathis, told prison attendants just before he died that he was present when the couple, Mr. and Mrs. John E. Trainer, both over 70 years old, were killed.

The other, James Fisher, alias James Johnson, made no statement. The two were pronounced dead within 13 minutes.

Investigators found the Trainers shot and clubbed in the dining room of their home on the Covington-Atlanta highway, just inside the Covington city limits, when they failed to open their store. The Negroes were arrested about three weeks later.

I DID NOT KILL,' SWEARS BRYANT

Negro Defendant In Trice Murder Case Says His Confession Was Forced

"Honest to God I didn't kill Mr. Trice," Willie Bryant, 21-year-old Hammond street Negro on trial for murder in Bibb superior court, told a jury late yesterday.

In an unsworn statement in his own behalf, the stocky Bryant declared he signed a confession to the murder of Zack Trice here on the night of Jan. 28, 1939, only after sheriff's deputies Walter Waldron and O. R. Stokes threatened to "blow my G—d—head off" and had flourished pistols before him.

"I was at home when Mr. Trice was killed," he declared, repeating his assertion that "honest to God, I didn't kill Mr. Trice."

Trice was shot fatally in a holdup at the Sinclair Oil Company plant here which netted his slayer $860.

Prosecuting attorneys have sought conviction on evidence based mainly on a confession alleged to have been signed by Bryant, in which the Negro admitted shooting the white man and told of subsequent events.

The defense closed its case after 6 p.m. yesterday but the prosecution began calling new witnesses in rebuttal of defense testimony.

Before resting, the defense attorneys made a motion that all testimony based on the alleged confession be ruled out of the trial but the motion was not allowed by Judge A. M. Anderson.

Indications were that the state would continue to bring rebuttal witnesses to the stand today but lawyers were hopeful that arguments would be concluded by tonight.

Teacher To Be Sentenced Today In Auto Death

Edward Drye, 26-year-old teacher of an Ashby Street address, who is alleged to have caused the death last May of a white doctor in a traffic accident, will be sentenced this morning in Fulton Superior Court.

Assistant Solicitor Quincy Arnold explained that Drye pleaded guilty Thursday to a misdemeanor charge, which carries a 12-month sentence. Drye was indicted on an involuntary manslaughter charge.

Dr. Lloyd A. Masterson, 39-year-old Army doctor, was killed at the intersection of Mitchell and Spring Streets, when his car and the machine driven by Drye collided.

Passengers in Drye's car were listed as Adolph Jackson of Roach Street, SW; Miss Rosa Lawrence, of Simpson Street, SW, and Miss Mary Robinson of Simpson Street.

NEGRO CONVICTED OF BARTOW KILLING

Oglesby Slayer Gets Life in Penitentiary.

Special to THE CONSTITUTION.

CARTERSVILLE, Ga., Feb. 23. Lewis "Tump" Gordon, Negro, accused of the murder of L. A. Oglesby, 72-year-old Bartow county storekeeper, of near Kingston, was found guilty in Bartow superior court yesterday. On recommendation of mercy by the jury, Judge John C. Mitchell gave him a life sentence in the state penitentiary.

Gordon pleaded not guilty denying all knowledge of the crime.

Oglesby was found dead in his store in early November, his throat cut and his head crushed. He had been stabbed numerous times. The body was found about two days after death.

Principal evidence included Gordon's bloodstained shoes, and a cap which was found in the store.

Atlanta Ga Constitution
February 16, 1940

DRYE WILL RECEIVE SENTENCE TODAY

Educator Convicted in Dr. Masterson's Death.

Edward Drye, Negro, principal of the Claxton Vocational and Agricultural School for Negro youths, is scheduled to be sentenced today for the auto killing of Dr. L. A. Masterson, 38, New Orleans (La.) physician and former head of the Louisiana State University charity hospital.

Dr. Masterson was killed May 25, 1939, when his auto and one driven by Drye collided at Mitchell and Spring streets.

Drye was found guilty of involuntary manslaughter yesterday in a consent verdict.

Judge A. L. Etheridge, after hearing evidence in the case postponed sentence until today.

Slight Decline In Local Homicides Shown Over 1939

A slight decline in colored homicides in Atlanta was noted Wednesday following a check of Atlanta Daily World files.

Ten Negroes have been slain this year. Twelve had died violent deaths last year at this time, and the colored homicide total for January and February in 1938 was 11.

Only one colored person killed this past January while four were murdered January last year.

Two Killed In Sudden Outbreak

Knife and Gun Snuff out Lives

Of Two Persons

A sudden outbreak of violence over the week-end left two persons dead, one from a gunshot wound and the other from a fatal stabbing, while two others were admitted to Grady hospital with gunshot wounds.

A man listed as Will Morgan of 407 Mangum street, was fatally shot around 10 o'clock Saturday night allegedly by a suspect listed by police as Dan Tucker, 24, of 44 Kennedy Street.

According to police records, a man listed as Theo Armstrong told investigating officers that there had been a "skin game" in progress at the Mangum St. address and suddenly Tucker got up and left the house, but returned a short time later and knocked on the door.

When Morgan opened the door Tucker is said to have fired at him one time, the bullet striking the victim back of the ear. Following this a man listed as James Armstrong is reported to have returned the fire at Tucker who is said to have left the house by means of a rear entrance.

EXCHANGE SHOTS

Then Armstrong is reported to have also left the house and a few minutes later several shots were allegedly fired between the two men.

However, shortly after the shooting, Tucker was apprehended by radio patrolmen and later identified as being Morgan's slayer. When arrested Tucker was found to have suffered a bullet wound in his chest and was taken to Grady hospital where he was admitted.

Later, police learned that James Armstrong had also been carried to Grady hospital for a gunshot wound in his left leg.

Allegedly stabbed once in the chest during a brawl with a woman listed as Miss Annie Florence Bennett, a man listed as Willie B. Moss of the rear of 518 Larkin Street was pronounced dead on arrival at Grady hospital Saturday.

STABBED WITH KNIFE

Investigating officers reported that a witness listed as Miss Annie Pearl Harris told them that Miss Bennett and the dead man who is said to have been drinking, apparently assuming that they were arguing and suddenly the woman grabbed Bennett and stabbed him with a knife.

She stated that she and the Bennett woman tried to get some- one to take the victim to the hospital but after failing to secure anyone the Bennett woman came back and put Moss to bed with a gush of blood flowed from his mouth and then he slumped dead on the floor.

Early Saturday morning she summoned aid to have called a man listed as James Gordy who said he found the dead man's head and that he was still breathing and then summoned an ambulance and had the victim taken to Grady hospital where he was pronounced dead on arrival.

Klan Pushes Anti-Communist Drive

Associated Press WIREPHOTO

Scattered groups of hooded members of the Ku Klux Klan served warning on Atlanta that the Klan "will not rest" until this Nation has been purged of all un-American organizations, particularly the Communists. This picture shows Klansmen a block from the city auditorium, where they concentrated in distributing their warning—in the form of "open letter to Congress"—to delegates attending the Southern labor conference of the A. F. L.

Man Shot In Chest Is 12th Homicide Victim

Atlanta's 12th colored slaying for the year had been written Wednesday on police records.

The dead man was listed as J. B. Elder, age unknown, of 597 Lindsey Street, NW. He was shot to death through the center of his chest late Tuesday at the corner of Herndon Street and Reynolds Avenue.

Held at City Jail on suspicion of firing the fatal shot was a man listed as Ralph Wright, 26, of 974 Longley Avenue, NW.

Self Defense Claimed by Man Who Surrenders

Investigating officers said they found a knife in the hand of the dead man and were given a pistol by Wright.

They quoted Wright as saying he and Elder were lodged in jail three days on suspicion of stealing automobile tires and that Elder swore that he would kill Wright after the latter informed policemen that he saw Elder letting air out of a tire.

After being released from jail, Wright got a pistol for protection because Elder had cut him on one occasion, the officers quoted W. [illegible] as saying.

Wright told the officers he shot Elder after Elder refused to stop advancing on him Tuesday. The victim was pronounced dead on arrival at Grady Hospital and the body was turned over to Murdaugh Brothers funeral home.

Sylvester Police Chief Fatally Shoots Negro

SYLVESTER, Ga.—(SNS) — Ed Hawkins, former resident of Gainesville, but who has recently been making his home here, was shot three times and killed Sunday noon by Chief of Police Claude Pettijohn.

The shooting followed attempts by Chief Pettijohn to place Hawkins under arrest, witnesses said. Hawkins, who was under the influence of whiskey, had been fighting with Mrs. Thelma Bailey Watson, allegedly over some money he accused Mrs. Watson with having taken from him.

On reaching the scene, Chief Pettijohn ordered the slain man to free Mrs. Watson. Hawkins previously dragged the woman several feet and was still tussling with her. Hawkins refused to obey the officer's command.

Hawkins, according to Chief Pettijohn kept reaching his hand in his hip pocket. The policeman, according to witness struck Hawkins with a blackjack, but the latter still refused to let the woman go, and meantime kept his hand in his pocket.

The policeman then started firing, two shots entering Hawkins' head and the third penetrating his abdomen. The sheriff and a state trooper investigated the shooting and absolved Chief Pettijohn.

Howard Is Cleared In Negro's Death

(Telegraph's Georgia News Service)

DUBLIN, March 12—All charges today had been dismissed against W. H. Howard Jr., [illegible] Montrose resident, for the death of George Owens, 84, Negro who was accidentally struck on the Macon-Dexter road by Howard's car last week.

State troopers and Sheriff T. F. Coleman report their investigation showed the accident to be unavoidable.

YOUTHS ADMIT SLAYING CHARGE

Two Are Sentenced for Killing Negro

Two 17-year-old youths, Thomas Cleveland and Robert Westbrook, pleaded guilty to charges of involuntary manslaughter yesterday and were sentenced by Judge Hugh M. Dorsey to serve three years. They had been indicted for the murder of a Negro, Robert McCloudy.

Meanwhile, a third youth charged with the killing, Harvey Whitfield, 16, elected to stand trial on the charge. After selection of a jury and the introduction of several state witnesses, the case was recessed until this morning.

The three youths, according to the indictment, killed the Negro by hitting him with a rock February 9.

Blow To Head Proves Fatal

The death of Frank Royal, 25, of 95 Fort Street, Monday had been listed by police as a homicide.

Royal passed at Grady Hospital last Friday morning. He was admitted to the hospital March 2, suffering a possible skull fracture from a rock blow.

According to police reports, Royal was struck by a man listed as Lucious Smith after the former claimed the latter had robbed him of $4. Royal was rushed to the hospital, where he remained until his death, police said, while Smith was lodged n jail on an assault and battery charge. Monday the charge was changed to murder.

Negro Youths Arrested In White Boy's Death

HUNTSVILLE, Ala. — Four Negroes, from 13 to 15 years, were held in the Madison County Jail this afternoon in connection with the fatal shooting of a 19-year-old white youth.

They were ordered held by Solicitor Jeff D. Smith after a coroner's inquest on the death of Dewey Wiley Moon, who was shot through the heart at his home where he operated a small wood yard. The Negro boys told Coroner H. C. Laughlin they didn't see the shot, although three of them said they were in the room when it was fired and the fourth had just left.

They told the coroner they had been scuffling about with each other. The coroner expressed the opinion one of them accidentally pulled the trigger on the .32 caliber pistol that apparently was under the pillow of the bed, and they were afraid to tell on each other.

Funeral services for the Moon youth were held today at Owens Cross Roads. He was an orphan.

Pike Farmer Is Slain; Negro Suspect Jailed

Special to THE CONSTITUTION.

ZEBULON, Ga., July 10.—A Negro listed by officers as "Snooks" Josey was held in the Pike county jail here tonight in connection with the fatal shooting of Joe Cannafax, 31-year-old farmer.

Cannafax was shot in mid-afternoon at Cedar Springs Campground, being struck in the neck and shoulder with charges of a shotgun, which Josey earlier had borrowed from him. He died in a Griffin hospital.

DeKalb Officers Swoop Down On Negro Home, Shoot Mother, Son

Man Beaten While Asleep, Shot When He Stirs

While America was expressing indignation over the shocking treatment Hitler's troops are according refugees in Belgium and Holland, a taste of Hitlerism struck nearer home Friday night when two DeKalb County officers swooped down on the humble residence of Walter Preston, leaving a 24-year-old son and his 57-year-old mother near death with bullet wounds in their backs.

The shooting occurred inside the darkened residence of Mr. Preston, which is located in Scottdale, near Clarkston. No explanation of the shooting was forthcoming when the officers were questioned at Grady hospital where the two victims were admitted shortly before ten o'clock Friday night.

The officers, apparently in an effort to conceal their identity, refused to divulge their names to newspaper men. Relatives of the two victims, however, recognized one of the men, a tall gangling, grey-haired policeman, who they said was "Charlie Alston".

The other officer, a short and much younger man, remained unidentified.

CIRCUMSTANCES VAGUE

Circumstances leading to the shooting were still vague last night. Miss Mamie Preston, a sister, who was in an adjoining room, told reporters, that the police armed with flashlights, had suddenly burst into the darkened house asking for Willie Preston, her 24-year old brother.

Young Preston, according to his sister, was stretched out on a day-bed sleeping, while his mother sat in a corner of the room.

The taller of the officers, she explained, whipped out a blackjack and began beating Preston about the head. Awakening, the victim begin moving his hands in an effort to defend himself.

MAN SHOT WHEN HE STIRS

When Preston stirred, witnesses said, the taller officer, who was identified as Mr. Alston, pulled out his revolver and fired one shot.

Preston had rolled off the bed and was attempting to crawl out of the door when the officer fired the second time, the sister said.

His elderly mother began screaming, pleading with the officers not to kill her son, it was said. It was at this period when the officer, the smoking weapon still in his hand, whirled and fired the third, shot, wounding Mrs. Preston.

BOTH ADMITTED TO GRADY

Both were admitted to the wards at Grady Hospital. The mother, who gave her name at the hospital as Mrs. Eva Mae Preston, was found to have sustained a gunshot wound of the left hip.

Her son, who was said to be in a critical condition, was suffering from a gunshot wound in the back and another in his right side.

The slug which entered his back punctured a kidney, doctors disclosed.

Relatives of the victims could offer no explanation as to why the officers had suddenly raided the house.

The father, Walter Preston, expressed the belief that the officers had been called by some white people in the neighborhood, after overhearing a disturbance in the colored community earlier in the evening.

Victim Of Knife Stab Is Race's 33rd Homicide

The 33rd colored homicide of the year was reported Monday with the death of Charlie Foster, 23, of the rear of 419 Chamberlain Street, SE, who was stabbed with a knife.

The victim was dead on arrival at Grady hospital Monday morning. Investigating policemen listed the time of his death at 2:15 A.M.

33

Arrested on suspicion of murder was Wilson J. Johnson, 23 of the rear of 354 Crew Street, Apartment 10. He was taken into custody at Grady Hospital.

Witnesses were quoted by the officers as saying the two men argued about a woman at another apartment of the Crew Street address and that during a tussle over a knife, which Johnson had flashed, Foster was stabbed in the collar bone.

Negress Exonerated In Ice Pick Killing

A coroner's jury yesterday exonerated Geneva Brooks Henderson, a Negress, of responsibility in the ice-pick slaying of her legless common-law husband, Freddie Henderson, Sunday.

The woman declared she stabbed Henderson as he held her on the floor of their home at 129 Bostick lane. She wrested the lethal weapon from his grasp to kill him, she testified. Henderson lost both his legs in a railroad accident several years ago.

Stabbing Puts Total Of Homicides At 38

The fatal stabbing early Saturday morning of Jimmie C. Russell, 32, of 276 Green Street, NE, pushed the colored homicide total of 1940 to 38.

38

Stabbed in the heart either with a nail or an ice pick at a Jackson St., NE, address, Russell died around 1:30 a.m., shortly after being admitted to Grady Hospital.

Radio Patrolmen Langdon and Roberts arrested Miss Pauline Jackson, 25, of 216 Jackson Street, and booked her on suspicion of murder. The officers said she received a scalp wound in the affray.

Two men reported engaged in the fight were booked on suspicion. They were listed as Gus Jackson, 28, 237 Houston Street and Leo Harper, 20, 277 Green Street.

Former Insane Asylum Inmate Held In Slaying Of White Couple

Daily World
Atlanta, Ga.

A colored man, reported to have been an inmate of the state asylum, was being held Tuesday at Fulton Tower in connection with the brutal slaying of a white couple near McDonough, Clayton County, March 2.

Listed as Sherman Collier, the suspect was arrested by county officers Sunday when he is alleged to have refused to pay a taxicab driver for driving him from Terminal Station to Campbellton Road.

DRILLED BL POLICE

Collier is reported to have broken down under police grilling Monday and Tuesday and confessed the slaying of Miss Sarah Rawls of McDonough, and her companion, Benton Ford.

County officers quoted the suspect as saying he took $20 from the man after killing him. He also is alleged to have carried the policemen to the scene of the slayings.

Immediately following the murders, policemen probed a theory that Klansmen killed the couple.

MAN QUESTIONED IN GRAVEYARD INCIDENT

LOGANVILLE, Ga., (SNS) —An unnamed colored man, questioned here Monday night by officers investigating the mysterious graveyard incident which occurred here

Suspect Alleged To Have Confessed Crime to Police

Sunday night, was at liberty Tuesday.

Captain A. L. Hutchins, identification officer for the state highway patrol, said the man was not a suspect. "We merely thought he might have seen something thereabouts that would help us trace the criminal."

Buried Sunday afternoon, the body of a white woman was removed from a grave during the night and tampered with. Authorities were of the opinion that it was the first outrage of its kind since the dark ages of Asia and Europe.

Gadsden, Ala., Times
July 10, 1940

Negroes Held In Double Killing

Man's Confession Implicates Other In Dual Slaying

ATLANTA, July 10.—(AP)—Two 29-year-old negroes—one demented—were held today in the slaying of a young white couple after one of the suspects purportedly confessed the killings and implicated the other.

Police Chief J. T. Dailey, of DeKalb County, said Sherwood Collier, arrested on a charge of carrying a concealed weapon, admitted the fatal beating of Sarah Rawls, 20, and Benton Ford, 24, near McDonough four months ago. While re-enacting the slayings in adjoining Henry County, Collier accused Robert Scott of complicity, the police chief reported.

Walter White, secretary of the National Association for the Advancement of Colored People, declared recently that Miss Rawls and Ford were "flogged to death by a mob." White's statement was made in taking issue with a Tuskegee Institute report which said the first six months of 1940 were devoid of lynchings.

Chief Dailey said Collier claimed he and Scott were repairing a tire puncture when the couple's truck turned off a side road nearby. They followed them by using a narrow bypath and Scott slugged Ford on the head with a tire tool and both negroes beat Miss Rawls to hush her screams, the officer quoted Collier as saying.

Collier said he took a watch but lost it in fleeing and Scott took $20 from the white man's pockets. The watch was found 100 feet from the slaying scene soon after the battered bodies were found last March 2. Chief Dailey said Collier claimed the death instrument was thrown into a stream. It has not been located.

Dailey said Collier escaped from the Milledgeville State Hospital for the Insane shortly before the slayings and it had been established that he was in the vicinity of McDonough about the time of the crime.

Huntsville, Ala., Times
July 10, 1940

Mystery Deaths Laid To Negroes

Pair—One Of Them Demented—Under Arrest In Atlanta Tower

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Collier was arrested Sunday and re-enacted the slayings at the scene yesterday. The other negro was taken into custody after Collier's statement. Both are held in the Fulton county tower. Scott denied any knowledge of the killings.

Dailey said Collier escaped from the Milledgeville state hospital for the insane shortly before the slayings, and it had been established that he was in the vicinity of McDonough about the time of the crime.

Dalton, Ga., [illegible]
September 26, 1940

COLORED CIVIC CLUB CONDEMNS KILLERS OF A. L. EDWARDS

At a recent meeting of the Colored Civic Club of Dalton, resolutions condemning the killers of A. L. Edwards were drawn up and unanimously adopted. The club also went on record as commending the officers of the law for their vigilance in the apprehension of the guilty parties.

The resolution was as follows:

WHEREAS, The peaceful and law-abiding city of Dalton was visited by a most horrible and atrocious crime in the murder of one of her esteemed and beloved citizens, Mr. Lester Edwards, on September 12th, 1940; and

WHEREAS, all of the people of Dalton who respect law and order were shocked and grieved at the commission of this deplorable act of violence; and

WHEREAS, Said violation of the laws of God and man meets with the unreserved condemnation of every good citizen of Dalton—

THEREFORE, Be it resolved by the members of the Colored Civic Club of Dalton that we most heartily condemn this awful crime and its perpetrators and express the wish that the one or ones responsible therefore have meted out to them stern and speedy justice;

That we deplore the fact that some of our race have been connected with the commission of the awful crime, and we condemn the guilty parties and repudiate them as being representatives of our race;

That we commend the officers of the law for their extreme and efficient vigilance in connection with the apprehension of the guilty parties, and, regardless of their identity, we wish for them a speedy, fair and impartial trial, and, upon their conviction that the extreme penalty fixed by law be imposed upon the one or ones found guilty.

That it is our wish that our sympathy for the bereaved survivors of Mr. Edwards be extended to them.

We desire to go on record as standing for law and order, as in these commendable virtues our hopes of happiness and harmony center.

Young Woman's Body Found In Dense Woods

SYLVANIA, Ga.—(SNS)— Deep mystery surrounds the murder here of Mrs. Queen Scott Lee, one of the city's most popular young women, whose battered body was discovered last Wednesday buried in some brush in a dense woods in Screven and Bulloch County.

A coroner's jury returned a verdict of "death at the hands of parties unknown." The young woman had apparently been beaten to death and her body hidden in the thick woods.

The body was returned to Sylvania Saturday after it had been identified and funeral services were held from the Robinson Branch church. She was survived by her mother, Mrs. Mollie Scott.

The mother told police she did not know of any enemies her daughter may have had. Police are continuing the investigation of the mysterious case.

Foul Play Feared In Mysterious Deaths

VIDALIA, Ga., (SNS)—Mystery surrounds the deaths of two colored residents of this little city and the severe wounding of two others. The victims were a mother, daughter, granddaughter and grandson.

Sheriff Bob Gray found the lifeless bodies of the mother, Mrs. Fannie White, 60, and little Otto Sharpe, 3-year old grandson. He was able to identify them.

Mrs. Lillie Belle Sharpe, daughter of the older woman, and Annie May Sharpe, her 12-year old daughter, were reported in a critical condition.

A blunt instrument found nearby was suggested as the implement of assault in this tragic case. He has made two arrests at last reports, both colored.

Farmer Shoots Negro, Twiggs Sheriff Says

Will Nesbit, Negro, of Jeffersonville, was reported in a serious condition last night at Macon hospital, where he was admitted yesterday suffering from a gunshot wound in his abdomen.

Sheriff Sam Kitchens at Jeffersonville said that Clements Fountain, a white man, shot Nesbit on the former's farm about six miles northeast of that town.

Sheriff Kitchens said that no details were available on the shooting and that no arrest had been made

CONVICT KILLED, GUARDS JAILED

SAVANNAH, Ga., May 30—Two white convict camp guards were being held on murder warrants here Sunday following the brutal slaying of one Negro prisoner and the serious wounding of another.

The prisoners, whose names were withheld by authorities, were shot down while being returned to the convict camp from Havana, Fla. They were both in the custody of the guards at the time of the slaying.

The two men had escaped from the prison camp and fled across the Florida line in a truck. Havana officials arrested them and turned them over to the convict guards for extradition.

When the guards drove into Cairo, one of the prisoners was dead of gunshot wounds, and the other was suffering from similar wounds in the groin.

One guard was arrested immediately, and the other, J. Furman Davidson, was taken into custody soon after on a murder warrant.

The slaying is being investigated by the State Highway Department which operates the convict camp.

Warden Denies Dying Convict Beaten at Camp

Clay Calls Testimony of W. A. Staffins 'a Damned Lie.'

Warden A. W. Clay, of the "Little Alcatraz" prison camp at Dallas, Ga., yesterday termed "a damned lie" the testimony of W. A. Staffins, of Atlanta, that his son, Paul, a dying convict, had told him of being beaten severely at the camp.

"I had a guard ride in the ambulance to Atlanta with the prisoner and members of his family," Clay said. "A guard also stayed at his side at Grady hospital until he died. The boy didn't tell his father or anybody else he'd been beaten or mistreated."

Clay declared the camp physician was away on vacation but that a statement from him would be obtained for Chairman Grover C. Byars, of the State Board of Penal Corrections who Tuesday at the father's request, ordered a probe of the 18-year-old convict's death.

The warden placed at six the number of prisoners there who have broken their legs by hooking an ankle under the end of a cot and rolling off.

Byars said yesterday his investigation was proceeding quietly but effectively.

Father Asserts Young Convict Died of Beating

Byars Orders Full Investigation of Alleged Blackjacking.

The dead lips of a youthful convict of Georgia's "Little Alcatraz" prison at Dallas, in Paulding county, spoke yesterday through a tearful father, related a story of blackjacking and other mistreatment, which brought orders for a searching investigation from Chairman Grover C. Byars, of the State Board of Penal Correction.

Still not 19 years old, the youth, Paul A. Staffins, died Sunday at Grady hospital, where he was brought Saturday, delirious and desperately ill, from the prison camp.

"He told me," earnestly declared the father, W. A. Staffins, of 1710 De Foor avenue, "that a guard beat him in the head with a blackjack. He kept crying, 'Don't let them beat me—don't let them put chains on me again.' He had a big black blister on his left index finger where he said a guard hit him with a hammer when he didn't shove hard enough on a stalled truck. There were large sores above the ankles made by the clasp of a 'pick' hung on his legs."

Records Say Pneumonia.

Cause of death was given officially at the hospital as pneumonia. The whole record, including the statements of hospital attendants, Byars said, will be sought. Ruling then will be made on holding a public hearing.

Byars was told by W. R. Ricknan, attache of the Brown Funeral Home, 1702 Howell Mill road, where the body was taken, that there was a black mark above the left eye, an injury to the left index finger and discoloration about the ankles.

A cousin of the dead youth, Yancey Yon, made similar decarations, and insisted death was due to internal injuries. He said young Staffins had suffered since childhood from a weak back.

Demands Probe.

"One of the things we'd like to know," said Yon, "is why a young boy was sent to a prison camp especially set up for hardened criminals."

It was not certain yesterday whether the investigation would be broadened to include the practice of convicts at the camp of breaking their legs by fixing a foot beneath a fastener at the end of a bunk and rolling off.

Impressed by the recitals of the father, cousin and undertaker, Byars ordered an aide, H. C. Camp, present at the hearing, to start immediately to probe cause of the death and make a full report to him.

"We will go to the bottom," the chairman told the elder Staffins, shaking his hand consolingly. "We will not permit any prisoner to be mistreated."

Exonerated of Guilt.

Young Staffins was serving a five to seven sentence of from five to seven years' imprisonment, imposed for a robbery at Elberton, of which, his cousin said, an elder brother, L. C. Staffins, also convicted, had exonerated him. He was but 17 years old when first tried.

Not until a guard from the camp came to their home last Friday did his family know of Staffins' condition, his father said. Hurrying to the camp, he found the son with a high fever. With the aid of Attorney Rus-sell Turner, who also represented his cousin, an elder brother, him at yesterday's hearing, the Yesterday the father hurried from the hearing in Byars' office to the hospital. He had just been told his daughter's condition was critical. Every effort was made to prevent her learning of her brother's death, but she came upon a funeral notice in a newspaper.

Also in the hospital, critically ill, was a sister, Mrs. Jessie Hay

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Sheriff Sam Kitchens at Jeffersonville said that Clements Fountain, a white man, shot Nesbit on the former's farm about six miles northeast of that town.

Sheriff Kitchens said that no details were available on the shooting and that no arrest had been made

CONVICT KILLED, GUARDS JAILED

SAVANNAH, Ga., May 30—Two white convict camp guards were being held on murder warrants here Sunday following the brutal slaying of one Negro prisoner and the serious wounding of another.

The prisoners, whose names were withheld by authorities, were shot down while being returned to the convict camp from Havana, Fla. They were both in the custody of the guards at the time of the slaying.

The two men had escaped from the prison camp and fled across the Florida line in a truck. Havana officials arrested them and turned them over to the convict guards for extradition.

When the guards drove into Cairo, one of the prisoners was dead of gunshot wounds, and the other was suffering from similar wounds in the groin.

One guard was arrested immediately, and the other, J. Furman Davidson, was taken into custody soon after on a murder warrant.

The slaying is being investigated by the State Highway Department which operates the convict camp.

Warden Denies Dying Convict Beaten at Camp

Clay Calls Testimony of W. A. Staffins 'a Damned Lie.'

Warden A. W. Clay, of the "Little Alcatraz" prison camp at Dallas, Ga., yesterday termed "a damned lie" the testimony of W. A. Staffins, of Atlanta, that his son, Paul, a dying convict had told him of being beaten severely at the camp.

"I had a guard ride in the ambulance to Atlanta with the prisoner and members of his family," Clay said. "A guard also stayed at his side at Grady hospital until he died. The boy didn't tell his father or anybody else he'd been beaten or mistreated."

Clay declared the camp physician was away on vacation but that a statement from him would be obtained for Chairman Grover C. Byars, of the State Board of Penal Corrections who Tuesday at the father's request, ordered a probe of the 18-year-old convict's death.

The warden placed at six the number of prisoners there who have broken their legs by hooking an ankle under the end of a cot and rolling off.

Byars said yesterday his investigation was proceeding quietly but effectively.

Father Asserts Young Convict Died of Beating

Byars Orders Full Investigation of Alleged Blackjacking.

The dead lips of a youthful convict of Georgia's "Little Alcatraz" prison at Dallas, in Paulding county, speaking yesterday through a tearful father, related a story of blackjacking and other mistreatment, which brought orders for a searching investigation from Chairman Grover C. Byars, of the State Board of Penal Correction.

Still not 19 years old, the youth, Paul A. Staffins, died Sunday at Grady hospital, where he was brought Saturday, delirious and desperately ill, from the prison camp.

"He told me," earnestly declared the father, W. A. Staffins, of 1710 De Foor avenue, "that a guard beat him in the head with a blackjack. He kept crying, 'Don't let them beat me—don't let them put chains on me again.' He had a big black blister on his left index finger where he said a guard hit him with a hammer when he didn't shove hard enough on a stalled truck. There were large sores above the ankles made by the clasp of a 'pick' hung on his legs."

Records Say Pneumonia.

Cause of death was given officially at the hospital as pneumonia. The whole record, including the statements of hospital attendants, Byars said, will be sought. Ruling then will be made on holding a public hearing.

Byars was told by W. R. Rickman, attache of the Brown Funeral Home, 1702 Howell Mill road, where the body was taken, that there was a black mark above the left eye, an injury to the left index finger and discoloration about the ankles.

A cousin of the dead youth, Yancey Yon, made similar decarations, and insisted death was due to internal injuries. He said young Staffins had suffered since childhood from a weak back.

Demands Probe.

"One of the things we'd like to know," said Yon, "is why a young boy was sent to a prison camp especially set up for hardened criminals."

It was not certain yesterday whether the investigation would be broadened to include the practice of convicts at the camp of breaking their legs by fixing a foot beneath a fastener at the end of a bunk and rolling off.

Impressed by the recitals of the father, cousin and undertaker, Byars ordered an aide, H. C. Camp, present at the hearing, to start immediately to probe cause of the death and make a full report to him.

"We will go to the bottom," the chairman told the elder Staffins, shaking his hand consolingly. "We will not permit any prisoner to be mistreated."

Exonerated of Guilt.

Young Staffins was serving a sentence of from five to seven years' imprisonment, imposed for a robbery at Elberton, of which, his cousin said, an elder brother, L. C. Staffins, also convicted, had exonerated him. He was but 17 years old when first tried.

Not until a guard from the camp came to their home last Friday did his family know of Staffins' condition, his father said. Hurrying to the camp, he found the son with a high fever. With the aid of Attorney Russell Turner, who also represented him, his father obtained Saturday an order from the corrections board to take the youth in an ambulance to the hospital. Upon arrival there he was found to have pneumonia. Also in the hospital, critically ill, was a sister, Mrs. Jessie Hay

City Crime Spurt Out-Sizzles Heat Wave; One Killed

Daily World
Blame Jealousy
7-30-40
In Fatal Shooting
Atlanta, Ga.

Quinnan Jackson, 25, of 483 Old Wheat St., N.E. was killed almost instantly shortly after Sunday midnight, after he reportedly had returned from home with his shot gun to break up the "sitting" of his alleged sweetheart and another man.

Police arrested Willie Tolar, 28 of 351 Pittman place in connection with the shooting which reportedly occurred at 12:35 o'clock Monday morning.

45 According to City Patrolmen A. M. King and W. E. Whitten, Jr. who answered the homicide call, Tolar was waiting for them and pointed out Jackson's body just under a front window of an apartment at 420 Irrwin Street, N. E., his shotgun in hand, barrel loaded and trigger cocked.

Tolar reportedly told the officers that he was visiting Miss Lizzie Mae Curry in the Irwin Street apartment house when Jackson came, in saw them together and left immediately. A few minutes later Jackson was seen returning with his shotgun in hand, Tolar said. The arrested man said he secured a revolver and waited. When Jackson approached the apartment window and started to level the gun at the occupants, Tolar said he shot twice. One of the bullets entered Jackson's forehead just above the right eye, while the other glazed his left cheek, according to reports. Jackson was pronounced dead on arrival at Grady Hospital by Dr. Epps of the hospital staff.

According to police reports, the victim had just finished a term on the chaingang for fighting about Miss Curry. He had just returned from the gang last Friday it was stated.

The Jackson slaying marked the 45th violence killing among colored Atlantans during the current year.

Seek Suspect In 88th Homicide

Daily World
DEC 31 1940

City detectives Monday were on the lookout for Jessie Truitt, of 857 McDaniel Street, who was charged with the Sunday night knife slaying of James Arnold, 25, of 518 Delvin Street, SW.

88 Arnold was slain at 842½ McDaniel Street following an altercation with the wanted man, according to reports. City police investigators said they found Arnold dead at a place of business at the McDaniel Street location. Witnesses gave the officers little information, they said, only claiming to have heard a scuffle and to have viewed the subsequent stabbing. Truitt fled the scene immediately after the knifing, it was stated.

Arnold's violence death was the 88th among colored Atlantans for the current year.

Dalton, Ga., News
September 26, 1940

Colored Civic Club Condemns Murderers in Formal Resolution

In every community where there is an element of two or more races there will be found two factions, good and bad. In Dalton there are many good colored people and they have joined together in a body forming the Colored Civic Club. This Club strives for the betterment of conditions in the Negro race. They have done much in the way of increasing the education of negro youth and in checking the criminal activities.

In the death of Les Edwards these good colored citizens were grieved and since two members of their race were the perpetrators of this horrible deed the Dalton Civic Club officially goes on record as condemning this crime and asking for the full penalty to be meted out to the criminals who committed this act.

Below is the resolution:

RESOLUTION

WHEREAS, The peaceful and law-abiding city of Dalton was visited by a most horrible and atrocious crime in the murder of one of her esteemed and beloved citizens, Mr. Lester Edwards, on September 12th, 1940; and

WHEREAS, all of the people of Dalton who respect law and order were shocked and grieved at the commission of this deplorable act of violence; and

WHEREAS, Said violation of the laws of God and man meets with the unreserved condemnation of every good citizen of Dalton--

THEREFORE, Be it resolved by the members of the Colored Civic Club of Dalton that we most heartily condemn this awful crime and its perpetrators and express the wish that the one or ones responsible therefore have meted out to them stern and speedy justice;

That we deplore the fact that some of our race have been connected with the commission of the awful crime, and we condemn the guilty parties and repudiate them as being representative of our race;

That we command the officers of the law for their extreme and efficient vigilance in connection with the apprehension of the guilty parties, and, regardless of their identy, we wish for them a speedy fair and impartial trial, and, upon their conviction that the extreme penalty fixed by law be imposed upon the one or ones found guilty.

That is our wish that our sympathy for the bereaved survivors of Mr. Edwards be extended to them.

We desire to go on record standing for law and order, as in these commendable virtues our hopes of happiness and harmony center.

THE DALTON COLORED CIVIC CLUB

Letters

NOV 6 1940

Stop the Murders

Editor The Telegraph:

What is wrong with us here in Macon? What has encouraged the Negroes to kill each other as is being done here? It is a common street saying that it will cost less to kill a Negro in Macon than it will cost to steal a pen knife.

If that is true, then why is it true? Is it because the courts do not care? I dare say that we all know cases are decided by evidence produced at the trial. Do our people condone crime by hiding the facts in the case? If that is the cause the time has come when we had better begin to become more patriotic and truthful for our own protection and the saving of the lives of our own people.

Macon

There is no race in the world that kills each other as our people do. God can bless no race whose hands are stained with human blood. My dear comrades, my fellow citizens, my brethern in black, in the name of God and high heaven, let us stop this bloodshed.

Telegraph

There is something that is causing it and that something should be found and exposed. If something is not done in a few years no black man's life will be safe in Macon.

Macon

It is not only the duty of Negroes to organize a crusade against this bloodshed among Negroes but it is the white man's duty as well, because when any man becomes filled with the spirit of murder he does not care whom he kills. He will kill a white person with as much ease as he will kill a Negro. The thing that we need is a clean, law-abiding city; a city where the lives of all the citizens are safe, it matters not whether they be white or black.

Therefore I appeal to the pulpits of both races, the officers of the law, the courts of the land and all law-abiding citizens who love decency, life, liberty and prosperity to join in a crusade to break up this man-killing in our beautiful city, because we are being watched throughout the nation. Again, great concerns and men of wealth who are attracted by our beautiful city of bright sunshine and climate will not come here if we make human life too cheap.

Macon. J. T. SAXON.

Carroll Man's Body Is Found In Tallapoosa

The Constitution
Atlanta, Ga.

William Potts Was Missing From Home for a Week.

NOV 28 1940

Special to THE CONSTITUTION.

CARROLLTON, Ga., Nov. 27.—The body of William "Bill" Potts, 35, missing from his Carroll county farm home a week, was found in the Little Tallapoosa river near here late today.

Officials said there apparently were no marks of violence, but a coroner's jury was impannelled. No verdict had been given at a late hour tonight.

The body was found about a half-mile from the Bowdon highway bridge in an area previously neglected by the hundreds of searchers and was near a footlog.

Nearby, witnesses said, were marks on the bank indicating someone might have slid into the water. Potts could not swim, relatives declared.

Surviving are his wife, Mrs. Della Mae Harry Potts; a son, age 3; a daughter three months old and his father, James Potts.

KILLED BY U. S. AGENTS DEFENDING HIS MINE

Courier 8-17-40 Pittsburgh, Pa.

BOISE, Ida., Aug. 15—(ANP)—Pearl R. Hendrickson, 50-year-old war veteran, lost his life here Wednesday trying to stave off eviction from a worthless mining claim. Hendrickson, who shot down U. S. Marshal George Meefan as Meefan and Deputy Marshal John Glenn attempted to oust him from the claim, died of a dozen bullet wounds.

State police and Federal Bureau of Investigation agents surrounded Hendrickson's cabin on the claim and poured into it for three hours a steady hail of rifle, shotgun and sub-machine gun slugs, ending in a rain of machine gun bullets, which made it possible for them to take the choking, dying man from the place.

POSSEMEN KILL SLAYER OF TWO

Age-Herald

Federal Officers Felled By Bullets From Rifle Of Negro

8-2-40

Bham, Ala.

(From Yesterday's Final Edition)

BOISE, Idaho, July 31—(AP)—A four-hour siege by gunfire and dynamite brought death today to a Negro hermit who slew two federal officers rather than give up his isolated mountain cabin.

More than a score of possemen poured hundreds of rounds from machine guns, sawed off shotguns and riot guns into the timber-surrounded hut which Pearl Royal Hendrickson refused to give up to the government.

U. S. Marshal George A. Meffan, 53, and John Glenn, 42-year-old deputy, died in a futile effort to dislodge the husky Negro.

Glenn met death first. With George Haskin, a Boise patrolman, he drove to the cabin 12 miles north of here early this morning to serve a warrant charging Hendrickson with contempt for refusing to move from government property.

Glenn's knock brought a fatal burst from a .30-.30 rifle.

Haskin raced back to Boise where he summoned Meffan and other officers. As they arrived Hendrickson fired again. The charge struck Meffan in the head.

The officers, Boise policemen, state prison guards and federal agents, ringed the cabin.

Incendiary bullets set the shack aflame, but for four hours Hendrickson withstood a continuous bombardment. Dynamite rocked the building.

About noon there seemed to be a slackening of answering gunfire, and the posse rushed the place. They found the Negro badly wounded. He died in an ambulance.

Hendrickson took possession of the cabin 15 years ago with permission of the then owner, Charles G. Allen, of Boise. Later Allen deeded the property to the government.

Allen said he later found the Negro cutting trees, adding:

"I ordered him to stop, but he got very obstreperous. Later he told a sheepherder who brought the word to me, that he had a .30-.30 rifle and that nobody had better 'monkey around' with him.

"I warned the forest service boys and other officers to stay away from him. I was afraid he would kill somebody."

KILLINGS- 1940

ILLINOIS

Assassin Drops Dead As Police Quiz Him

By DAVID H. ORRO

Shot through the neck and chest, and knifed twice across the face Monday afternoon, Atty. A. Andrew Torrence, Republican state representative from the Third senatorial district, died within 15 minutes at Michael Reese hospital, the victim of a disgruntled former precinct captain.

An hour later death struck again, this time in a washroom at the states attorney's office when the slayer, Cornelius Woodward, 60, slumped from the grasp of two policemen and dropped to the floor—the victim of poison which he is believed to have swallowed immediately after shooting Torrence.

Rep. Torrence

Attorney Torrence, key man in the Second Ward Regular Republican organization of which he was secretary, was stalked and assassinated as he sat at a desk in his suite of offices on the fourth floor of the Binga Arcade building, 3458 South State street.

Had Lost His Job

Quizzed by police at the scene of the murder, Woodward, a deacon and member of long standing at Olivet Baptist church, Thirty-first street and South Parkway, said he shot Torrence after making a final desperate plea that the representative put him back on his job as school janitor.

Mass Funeral for Negro Organizer Slain in Chicago

(Special to the Daily Worker)

CHICAGO, June 14.—Chicago's unemployed planned today to bury the first martyr—a Negro—in the present campaign of war hysteria whipped up by the Roosevelt administration against all progressives.

Sainter L. Avery, 42, slim, friendly chairman of Workers Alliance Local 45, lies dead from the bullets of an uncaught killer who fired three shots into his body following a meeting of the local Monday night. He was killed on the same evening of President Roosevelt's speech at the jim-crow University of Virginia deploring the use of "force."

Another Negro, Mrs. Sallie Jordan was also slain by a stray bullet from the murderer's gun while waiting for a street car at the corner of 47th St. and Evans Ave.

MASS FUNERAL

Four white and four Negro pallbearers will carry the body to its last resting place in Lincoln Cemetery following a mass funeral at the Metropolitan Community Church, 41st and South Parkway Saturday, at 11 A. M. The funeral will be conducted jointly by Alliance representatives and Rev. Louis Rawls, militant Negro pastor of the Canaan Baptist Church.

Avery's career as an outstanding working-class leader and as a composer of fighting songs sung on every relief picket line, will be reviewed by Rev. Rawls; Bud James, Alliance state secretary; William L. Patterson, national vice-president of the International Labor Defense; David Cade, Alliance member; and Alonzo Isbell, secretary of the South Side Alliance Council. Resolutions and telegrams from AFL and CIO unions and other organizations demanding that the police apprehend and prosecute the killer will be read at the funeral.

Wabash Ave. Station police who in the past have arrested many Alliance members for picketing relief stations, claim that "no description of the murderer has been furnished." This statement was flatly contradicted by Alliance organizational secretary Mike Cassidy who pointed out that the killer had been described both by Avery's companion, Willis Porter, and by the husband of the slain woman.

FORM COUNCIL

As suspicion mounted that Avery had been "put on the spot" for his activities, representatives of the ILD, the Alliance, and the National Negro Congress took steps to establish a South Side Civil Rights Council to protect Chicago's hungry, jobless Negroes in their struggle for adequate relief. Plans for the Council will be outlined at a mass memorial meeting to be held Saturday, 2:30 P. M., at Washington Park.

"Avery was shot down like a dog," Porter told the Daily Worker correspondent.

"We were fired upon as we were leaving the hall, after everybody else had left, by a man who was leaning on the hood of a parked car. He began shooting when we got abreast of him. He was a tall, light brown-skinned man wearing a white felt hat, tan shoes, and a dark blue suit. I judge that he was in his forties."

Porter ran west on 47th St. Avery dazed by the attack, stood still for a minute and then ran east a few steps, collapsing in front of the Smith Funeral Home, 716 E. 47th St.

For more than forty minutes, the wounded man lay on the sidewalk without first aid and without the owners of the funeral home calling an ambulance. Blood oozed from his chest and formed a red pool on the walk.. Police were called two or three times before a squad car arrived.

Officers in the squad car first took him to Provident Hospital where he was denied adequate treatment because he had no money. He was then carried to Cook County Hospital, dying five minutes after arrival.

"We will not rest until the killer is arrested and punished, declared Mrs. Vera Jones who succeeded Avery as chairman of Local 45.

"Brother Avery died for the Negro people and for all people who are denied bread and work."

Said Rev. Clifton Laws, South Side Alliance organizer and Avery's close friend:

"He was on every picket line fighting in every battle for human rights. His last message to us would have been, 'Don't mourn but organize.'"

Posse Slays Fugitive After Dramatic Chase In Mountain Region

Captured Son Reveals Hideout Of Wounded Desperado In Virginia

DEC 19 1940

MIDDLESBORO, Ky.—(AP)—Clyde William Buchanan, 40, died Thursday four hours after a posse of Kentucky, Tennessee and Virginia officers wounded him in a gun battle near Wheeler, Va., where they found him after a two and a half day search of the tri-state Cumberland Mountain area.

Bell County Atty. Walter B. Smith, who directed the hunt, reported the capture late Wednesday night of Buchanan's son, Clyde, Jr., 15. The younger Buchanan fled into the mountains with his father after a pistol fight at their trailer camp in which Deputy Sheriff George W. Fisher, 63, was killed and two other peace officers were wounded early Tuesday, Smith said.

The elder Buchanan was wounded fatally, two bullets striking him in the head and one in the abdomen, when he refused to surrender peacefully to 50 possemen who surrounded him in a cedar grove a quarter of a mile from the Wheeler railroad station.

The slaying of the deputy occurred when he and Middlesboro Police Chief George Minton, 48, and City Patrolman P. L. Perry, 43, entered the Buchanan trailer to serve a warrant issued at Alexandria, Va., charging robbery.

Minton was shot through the stomach and Perry was hit in the hand in the battle. A single shot fired by Perry before he was wounded broke Buchanan's left arm.

Since the shooting, police officers and citizens aided by three airplanes and tracking dogs, had combed the heavily wooded Cumberland Mountains in this area.

Young Buchanan, although armed, offered no resistance when surrounded by possemen near a Wheeler store where he had purchased food and medicine.

From him, Smith said, officers learned the location of his father's hiding place and that the elder Buchanan was wounded.

The posse, heavily armed, located a small fire the fugitives had built in a cedar grove 200 yards from the Louisville & Nashville Railroad tracks.

Smith called to Buchanan to "come out of there and with your hands up."

A single shot was fired from the grove.

The posse fired a round and closed in.

Buchanan, fatally wounded, was found unconscious beside the fire with a pistol clenched in his hand.

He was taken to a Middlesboro Hospital where he died. None in the posse was injured.

Young Buchanan was placed in the Middlesboro jail.

Wife, Children Held

A woman identified by Smith as Buchanan's second wife, Mrs. Mertie Buchanan, 19, and three children including a 4-months-old girl have been detained since Tuesday by Middlesboro police.

Smith said the family had lived in the trailer parked at Cumberland Gap, near the Tennessee line for several days, and that they had been weaving and selling baskets.

At Alexandria, Lieut. Edgar Sims, chief of detectives, said the Buchanans lived in the Virginia city several months before coming to Kentucky.

Sims said he had advised Middlesboro police to exercise care in serving the warrant because Buchanan was wanted for questioning "in at least half a dozen other robberies."

Planes Join Manhunt For Father And Son Sought After Slaying

Biggest Search In History Of Mountain Section On; 500 To 600 Participate

DEC 18 1940

MIDDLESBORO, Ky. — (AP)—Airplanes and heavily-armed peace officers of three states pressed a search Wednesday for a father and son who fled after the fatal shooting of a deputy sheriff and the wounding of two other officers in a wooded mountain section near the Kentucky-Tennessee-Virginia border.

Bell County Atty. Walter B. Smith directed the search, which he described as "the biggest manhunt in the history of the Eastern Kentucky mountains."

He said 150 officers and special deputies—"armed with all kinds of guns from sub-machine guns to shotguns"—joined the hunt, aided by tracking dogs.

The men still were sought Wednesday afternoon.

Smith said that at various times "a total of probably 500 or 600 men

Slain By Officers

CLYDE W. BUCHANAN

Posse Kills One Fugitive In Kentucky

Father Slain And Son Jailed In Deputy Murder Case

DEC 20 1940

MIDDLESBORO, KY., Dec. 19.—(AP)—With his father dead from possemen's bullets, 15-year-old Clyde Buchanan, Jr., waited in a jail cell tonight for the law to decide whether it will press a murder charge against him in the slaying of a peace officer and the wounding of two others.

Bell County Atty. Walter B. Smith said he would question the boy again tomorrow before making a decision. He added young Buchanan denied firing any shots but that he was armed when nabbed by officers yesterday near Wheeler, Va., about nine miles from here.

DEC 20 1940

Smith led 50 heavily armed officers and citizens who captured early today the youth's fatally wounded father, Clyde William Buchanan, 40, described by the county attorney as a U. S. Army World War sharpshooter, former Virginia convict and more recently an itinerant basket-weaver.

The two Buchanans had been sought since Tuesday in what Smith termed the "biggest manhunt in the history of the eastern Kentucky mountains."

They fled after Deputy Sheriff George W. Fisher was killed and Police Chief George Minton and a patrolman were wounded. The officers had gone to a trailer camp here to arrest Buchanan on an Alexandria, Va., burglary warrant, Smith said.

The boy was caught, the county attorney continued, after suspicions of some "country boys" at Wheeler had been aroused by a youthful stranger who appeared there several times to buy food and medicine. (The elder Buchanan was wounded when he fled from the trailer camp.)

After the youth's arrest on a fugitive warrant issued for him and his father, Smith and his posse hurried to the father's hiding place in a nearby woods.

Surrounding it, Smith said he called to Buchanan to surrender. A pistol shot was the answer. The posse replied in kind. Four hours later Buchanan died in a Middlesboro hospital.

Smith said he was seeking to determine whether the boy participated in the shooting at the trailer camp. The county attorney said it appeared too many shots were fired at the officers to have come from one gun.

—some specially deputized but most not"—engaged in the hunt. Three private airplanes were enlisted to scout the search area.

One of the fugitives was wounded, Smith said, and their hiding place was believed surrounded. All highways were blocked and all automobiles searched.

Deputy Sheriff George W. Fisher, 63, was shot to death, and Middlesboro Police Chief George Minton, 48, and City Patrolman P. L. Perry, 43, were wounded, Minton critically, in a shooting affray that began suddenly as they waited for a man they had arrested to finish breakfast, Smith said.

The county attorney said the three officers, seeking a man listed as Clyde William Buchanan on an Alexandria, Va., robbery warrant, had found a suspect in a trailer home where the shooting occurred.

Smith said the suspect and his 19-year-old son fled, then returned to the trailer, after the wounded officers left, to get more guns, including one on Fisher's body. Thus armed, they took to the rugged, densely wooded mountains.

Coroner's Jury Places No Blame In Sartin Killing

DEC 3 1940

LOUISVILLE, Ky.--(SNS)—

A coroner's jury investigating the killing of John Sartin, 46, by J.M. Murrell, 33, a white insurance agent, on October 10, "fixed no blame."

At the coroner's office it was explained to a representative of this paper that "fixing no blame" meant "the jury heard only one side of the affair and so could fix no blame." Mrs. Helen Sartin, the wife of the slain man, was the only witness to the shooting of her husband. She testified she was ill in bed when Murrell, who represents the American Life and Accident Insurance Company, came to her home to pay a sick claim. She said she argued with Murrell that there were due two weeks' payments instead of one. She said her husband was sitting beside her bed and joined the argument. She said while he was sitting down Murrell drew a pistol and started firing at her husband. He grappled with Murrell and they both fell to the floor. She said she got out of the bed, snatched Murrell's flashlight and hit him over the head with it.

This paper received much commendation on its write-ups of this affair when it happened. Especially that part of its argument that called on colored people to join Negro insurance companies as a protest over against the outrage. Already there are signs Murrell will plead self-defense and doubtless be freed.

SLAIN IN KENTUCKY BATTLING A POSSE

New York Times

Fur Salesman, Alleged to Have Turned Outlaw, Shoots It Out When Trapped in Camp

New York N. Y.

HAD BEEN HUNTED BY AIR

Search for Him Was Begun by 1,000 Men After Officer Was Killed in Trailer Gun Fight

DEC 20 1940

MIDDLESBORO, Ky., Dec. 19 (UP)—Clyde William Buchanan, 40-year-old fur salesman who is alleged to have turned outlaw for thirty-six hours, died today from six bullet wounds received as he shot it out with a posse over a dying campfire.

Weakened by wounds from a previous gun battle in which he had killed one officer and wounded two others, the fugitive, who had been hunted by 1,000 men and three grenade-bearing airplanes, refused to surrender when the posse surrounded him.

District Attorney Walter B. Smith of Bell County, Ky., leader of the party which surprised Buchanan in a gulley, shouted:

"Buchanan, come out of there!"

Buchanan answered with a shot. The posse fired a volley, and he fell with three bullets in the head and three in the body.

He was rushed to Middlesboro Hospital for an emergency operation, but died a short time later.

Buchanan's hideout was disclosed by his son, Clyde, Jr., who had fled with him after the officers were shot in the Buchanan automobile trailer in Cumberland Gap, Va., Tuesday night.

Captured last night at Gibson Station, Va., young Buchanan told police that he had left his father, wounded, standing on the railroad tracks near Wheeler, Va. Buchanan senior had suffered a broken arm and was weak from loss of blood.

The three officers had come to Buchanan's trailer to arrest him for a fur theft. He whipped out a pistol, killed the chief deputy sheriff, George Fisher, of Bell County, with five shots in the head, and wounded Police Chief Charles Minton of Middlesboro and Deputy Sheriff Bob Perry.

A bullet from Deputy Sheriff Perry's gun broke Buchanan's arm. Both Buchanans fled, but were able to make only slow progress through the rugged countryside because of the elder Buchanan's wound.

The son was held under heavy guard in the Middlesboro jail. He surrendered without resistance Wednesday night when he was surrounded by police in a country store where he had come for supplies and medicine to dress his father's wound.

Police Chief Minton was near death with a bullet wound in his stomach. Deputy Sheriff Perry's only wound was in the arm.

Arrest Believed Imminent; 200 On Bloody Trail

Birmingham News

Birmingham Ala.

Slayer Of Former A. P. I. Grid Player Flees Into Tennessee

DEC 21 1940

RINGGOLD, Ga.—(AP)—A bloody trail winding over ridges and through ravines of this rugged hill country led a posse of 200 officers from Georgia into Tennessee Saturday in quest of a man who slew a highway patrolman when halted for reckless driving.

Safety Commissioner Lon Sullivan said a bloodhound trailed the killer over about 12 miles of rough country from the spot where Corp. W. F. (Fred) Black was felled with three shots from a .38-caliber pistol. Fresh dogs were brought up about noon when the first hound appeared near exhaustion, and Sullivan said he believed capture was imminent.

"I can't see how a man could have gone much farther than we have trailed him with such a loss of blood," he said.

Searchers found drops of blood and small blood pools on leaves, rocks and fences along the trail, and at one point discovered a blood-soaked strip of a man's shirt atop a small hill.

The fugitive, who fled into the underbrush Friday night after fatally wounding Black, was believed wounded when Black's companion, Patrolman B. R. Farr, emptied his gun at him.

The trail twice crossed the highway between Chattanooga, Tenn., and Ringgold, and wound northward until it passed over the state line. The fleeing man passed several farm houses, the trail passing through the yard of two, but no one reported seeing him.

Sullivan and Capt. D. Frank Simmons, of the patrol, directed 25 troopers, who worked with authorities from four North Georgia counties, three agents of the Federal Alcoholic Tax Division, Tennessee patrolmen, and police of nearby cities.

Farr said he and Black stopped the car about three miles north of here and cautioned the driver against reckless driving. Black told the motorist that he would prefer no charges but as he walked to the front of the car to inspect the license plates, the man jumped out with gun banging. Later it was learned that the automobile had been stolen Dec. 10 in Miami, Okla.

Capt. Simmons said a young woman who was in the car with the killer told him the gunman's name is Charles Butler and that she married him three days ago in Memphis, Tenn. No charges were lodged against her.

Corp. Black was a graduate of Alabama Polytechnic Institute at Auburn, Ala., where he played football and basket ball. He joined the patrol three years ago and leaves a widow.

KILLINGS- 1940

KENTUCKY

Posse of 130 Trails Suspect In Ky. Killing

Washington Post
Washington D.C.
DEC 18 1940

Father, Son Flee After Deputy Is Slain, Two Officers Shot

By the Associated Press

Middlesboro, Ky., Dec. 17.—A father and his 19-year-old son, who fled after a deputy sheriff had been killed and two other peace officers wounded, were believed cornered tonight in the Cumberland Mountains near the Kentucky-Tennessee-Virginia line.

Approximately 150 officers from the three States, aided by tracking dogs, sought the two men in what Bell County Attorney Walter B. Smith termed the "biggest manhunt in the history of the eastern Kentucky mountains."

(Three airplanes, armed with grenades, participated in the search for the fugitives until nightfall, according to the United Press.)

County Attorney Smith told the following story of the shooting:

Deputy Sheriff George W. Fisher, 63, Middlesboro police chief; George H. Minton, 48, and City Patrolman P. L. Perry went to Cumberland Gap this morning to serve a warrant charging robbery, sent here from Alexandria, Va. Listed in the warrant was a man named Clyde William Buchanan, 40, a former convict who formerly lived in Alexnadria.

They went to a trailer, where the man was said to be living, and placed him under arrest. The man denied he was Buchanan and asked permission to finish his breakfast. The officers agreed, and all entered the trailer.

Suddenly the prisoner started shooting. Deputy Sheriff Fisher was felled by six bullets; Police Chief Minton was shot through the stomach and shoulder, critically wounded. Policeman Perry fired once, hitting the prisoner in the left shoulder before a bullet hit the trigger of his own pistol, jamming it.

Buchanan and a 19-year-old son, Clyde, jr., fled. Minton and Perry came to the Middlesboro Hospital.

After the officers left, the two men came back to the trailer, in which they lived with Buchanan's 19-year-old second wife and a 17-year-old daughter and 15-year-old son. They took a pistol from Fisher's body, gathered two other guns hidden in the trailer and disappeared into the woods.

Roads Are Blockaded

The wife, Mertie; the son, Clarence, and the daughter, Doris, were brought here for questioning.

Smith said Kentucky, Virginia and Tennessee patrols had blocked all highways in the region and all cars were being stopped and searched. The county attorney expressed belief the father and son were hiding in the tri-State area and had been surrounded.

Posse's Victim, Son, Recently Held in Georgia

The Constitution
Atlanta Ga.
DEC 21 1940

Pair Were Jailed in Connection With Theft, Chief Reveals.

Special to THE CONSTITUTION.

VILLA RICA, Ga., Dec. 20.—Clyde William Buchanan, slain by a Kentucky posseman yesterday, and his son, Clyde Buchanan Jr., 15, held in connection with the murder of a peace officer, were held in jail here in November, Police Chief H. O. Luther revealed today.

Chief Luther said the two Buchanans were arrested here for investigation following the robbery of one filling station and the attempted robbery of another. Only a flashlight and a knife were stolen. The arrests were made, he said, when the younger Buchanan sought treatment of a hand, allegedly cut in smashing a window in one of the filling stations.

The chief said the younger Buchanan, placed in the Fullerville jail, a mile from here, escaped after several hours, came to Villa Rica and released his father from the local jail. Meanwhile, however, officers had obtained from young Buchanan a signed confession, the chief said.

Officers thereafter kept watch at a point where the elder Buchanan's wife lived in a trailer, but the men failed to return there. She finally sold the trailer and other possessions, Chief Luther said, and reported she would return to her home in Virginia.

(Associated Press reports said Chief Deputy Sheriff George Fisher was slain when he and other officers went to Buchanan's trailer, where he lived with his wife and four children near "The Pinnacle" in Cumberland Gap, to arrest him for robbery in Alexandria, Va.)

Notified of the recent case here, Bell County (Kentucky) Attorney Walter B. Smith today requested Chief Luther to send him the written confession which bore the signature "Clyde Buchanan Jr."

Two Fugitives Elude Posse In Wild Hills

Montgomery Advertiser
Montgomery Ala.
DEC 19 1940

Father, Son Are Sought After Battle With Kentucky Officers

MIDDLESBORO, KY., Dec. 18.—(AP)—The trail of two itinerant basket weavers—father and son—sought for questioning in the killing of a deputy sheriff and the wounding of two policemen grew cold tonight in the rugged hills of Kentucky, Tennessee and Virginia.

Bell County Attorney Walter B. Smith of Pineville, who has been directing what he described as "the biggest manhunt in the history of the Eastern Kentucky mountains," expressed belief the hunted men had "eluded" approximately 150 heavily armed possemen, airplanes and tracking dogs.

Smith named the suspected gunmen as Clyde William Buchanan and his 19-year-old son, Clyde, Jr. One of them was believed wounded.

While the county attorney awaited for the grim game of "fox and hounds" to produce results, he sought to learn further details of the fatal shooting yesterday in a trailer of Deputy Sheriff George W. Fisher, 63, and the wounding of Police Chief George Minton, 48, and City Patrolman P. L. Perry, 43.

The three officers were shot, Smith said, after they arrested a suspect on an Alexandria, Va., warrant charging a "Clyde Buchanan" with burglary. The man denied he was the Buchanan sought.

The officers granted his request to finish breakfast after they disarmed him. Suddenly, about a dozen shots rang out. Fisher dropped dead with six wounds and Minton was felled by two bullets in him, Smith continued. Perry was wounded in the hand, but fired several times as the suspect and a younger companion fled.

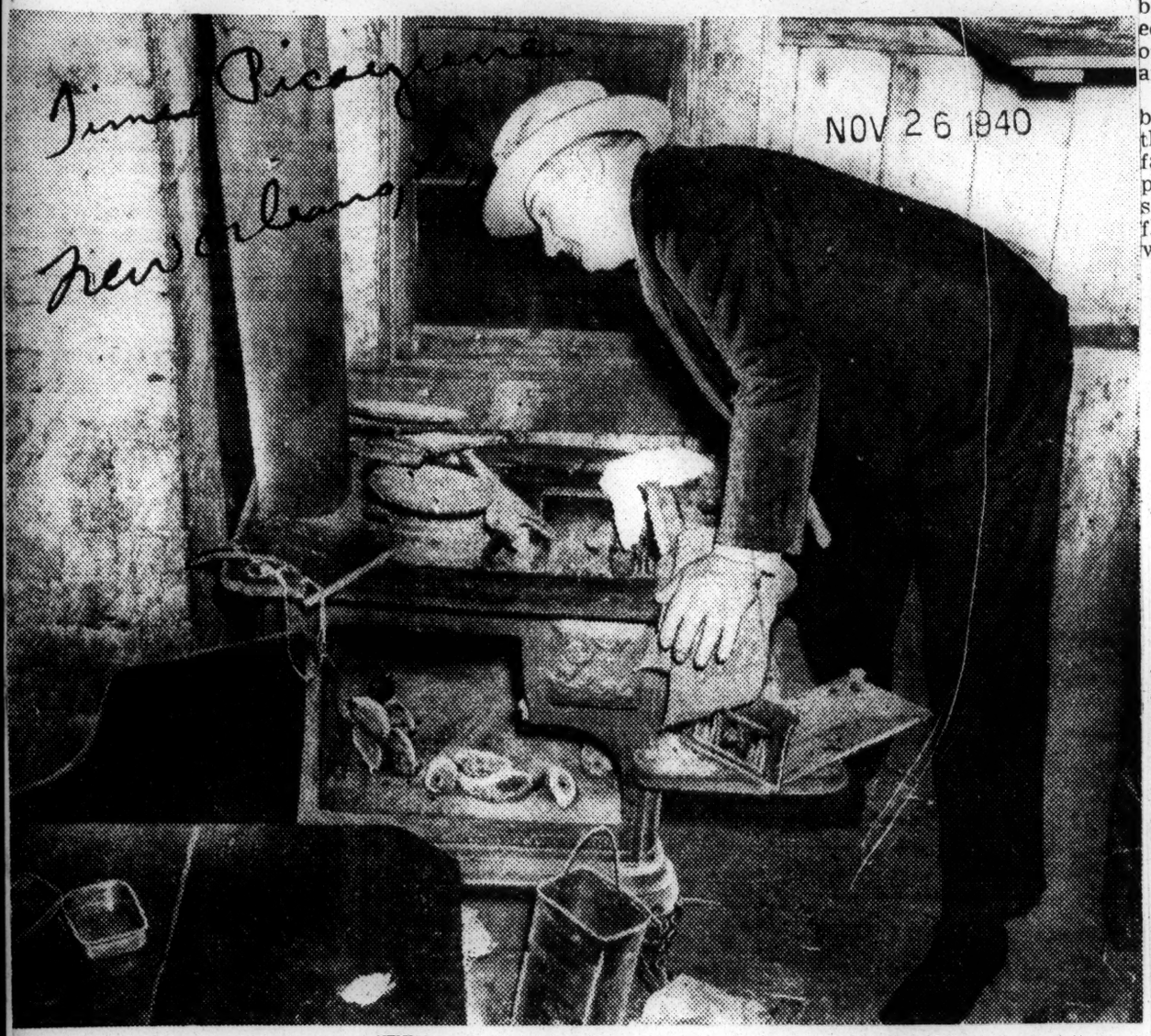
Officers later took into custody the young second wife of the suspect and two 'teen age children, who were about the trailer.

Smith said after questioning them that apparently two men—father and son—both fired upon the officers after the older man got a "squeezer" (automatic) pistol from beneath a bed pillow while the officers' backs were turned.

In Alexandria, Police Lieut. Edgar Sims said police there wanted a Clyde William Buchanan, 40, for questioning "in at least half a dozen robberies" other than the one cited in the warrant.

Sims said he advised Chief Minto to use care in arresting Buchanan, who the lieutenant said, went from Alexandria to Kentucky.

Find $2600 Hidden in Shack of Slaying Suspects



—Photo by The Associated Press.

B. G. Stewart, a neighbor of Steven Bench, 54-year-old farmer beaten to death at his home near Hammond, examines the stove in a nearby shack which had been occupied by two Negroes suspected in the slaying. Officers found a $100 bill and $2500 in bonds cached in the stove.

NK SLAIN-NEGRO O THIRD KILLING N BERRY SECTION

Ring Traced to Dead spect, Says District Attorney

NOV 26 1940

(The Associated Press)

Baton Rouge, La., Nov. 25.—District Attorney Bolivar Kemp of Tangipahoa parish said today that Eddie Garrett, 21-year-old Negro killed by a posse in Tangipahoa woods, may be involved in a third robbery-murder in the Florida Parishes section.

Kemp said Sheriff P. R. Erwin of Livingston parish had informed him he believed Garrett involved in the robbery-killing of an aged farmer named Schenk near Denham Springs a year ago.

Like two recent murders in Tangipahoa parish, for which Garrett was shot as a suspect yesterday, Schenk was clubbed to death and robbed, the district attorney said.

Kemp said the three killings were among the most brutal in the section's history. He said he was convinced Garrett killed Miss Julia Bergman, 60-year-old dairy owner, near Amite, and Steve Bench, wealthy farmer, both within the last few days.

The district attorney said he left the posse still searching for James Johnson, 23-year-old Negro, whom he said was suspected of being Garrett's accomplice in robbing and killing Bench. Kemp said a ring stolen from Miss Bergman had been traced to Garrett.

(The Associated Press)

Hammond, La., Nov. 25.—A posse beat the woods north of here for a Negro sought in the robbery-slaying Saturday of Steven Bench, 54-year-old farmer, after the buckshot-riddled body of another Negro, Eddie Garrett, was found yesterday.

Dick Cutrer, Hammond officer, fired on Garrett Saturday night after the Negro escaped following his arrest for questioning in the fatal beating of Bench, a Hungarian bachelor who lived alone on a strawberry farm at nearby Albany. Garrett's body was found yesterday 100 feet from the place Cutrer fired at him.

The other Negro, whose name was not known to neighbors, was believed hiding in the same wooded area. At least three members of the posse said they had seen and fired at him yesterday.

Search for the two Negroes was begun after a bucket owned by them was found on the Bench farm. A $100 bill and $2500 in postal bonds was found in a stove in their shack. As Garrett fled officers said he dropped a wad of bills containing $2600.

OFFICERS OF TWO PARISHES SEEK PAIR IN MURDER

Albany Farmer Robbed, Slain; Negro Suspects Make Escape

NOV 24 1940

(Special to The Times-Picayune)

Hammond, La., Nov. 23.—Led by law enforcement officers of Tangipahoa and Livingston parishes, posses were searching in Hammond and vicinity this afternoon for two Negroes wanted for the murder and robbery early this morning of Steve Bench, 54-year-old retired farmer, at his home at Albany.

The Negroes escaped shortly before noon after being sighted by an officer in a barber shop in Northeast Hammond. The officer, Dick Cuterer, fired at one of the pair but his shot failed to take effect. Parish authorities asked for bloodhounds from Baton Rouge for use in the search.

Bench, his skull crushed, was found on the floor of a bedroom in a three-room house which he rented on the farm of Joseph Zari of Albany. He died before medical aid could be summoned. A blood-smeared piece of wood was found on the floor beside the victim.

Find $2600 in Wallet

A wallet containing $2600 was given to Mayor W. B. Jordan after it was picked up by a Negro boy in Northeast Hammond, who had seen the suspect in the Bench murder toss it into a ditch after Officer Dick Cutrer had shot at him.

Sheriff Louis Erwin of Livingston believes that Bench had $12,000 in cash and securities at his home when murdered.

Officers recovered a $100 bill and $2500 in postal certificates from a stove in a house occupied by the two Negro suspects. Belief that the loot of the murderers was considerably in excess of this sum was strengthened by the fact that the two Negroes made extensive purchases in Hammond stores this morning and offered bills of large denominations in payment.

Bench was found when Zari, noting that he had not emerged from his home at the usual hour this morning, went to the house to investigate.

Investigating officers said that suspicion was directed to the two Negroes when it was learned that they got their water supply from a well on the grounds of Bench's home and a bucket which they used was found, empty, at the entrance to the house.

Victim Of Posse Is Accused

11-29-40

BATON ROUGE—District Attorney Bolivar Kemp of Tangipahoa parish said today that Eddie Garrett, 21-year-old- Negro killed by a pistol in Taugipahoa woods, may be involved in a third robbery murder in the Florida parishes section. Kemp said Sheriff P. R. Erwin of Livingston parish had informed him he believed Garrett involved in the robbery-killing of an aged farmer named Schnek near Denham Springs a year ago.

Like two recent murders in Tangipahoa parish for which Garrett was shot as a suspect yesterday, Schnek was clubbed to death and robbed, the district attorney said.

Kemp said the three killings were among the most brutal in the section's history. He said he was convinced Garrett killed Miss Julia Bergman, 60-year-old dairy owner near Amite and Steve Bench wealthy farmer, both within the last few days.

The district attorney said he left the posse still searching for James Johnson, 23-year-old Negro, whom he said was suspected of being Garrett's accomplice in robbing and killing Bench. Kemp said a ring stolen from Miss Bergman had been traced to Garrett.

BODY OF SUSPECT SOUGHT IN DEATH OF FARMER FOUND

Fugitive Found Dead of Buckshot Wounds by Sheriff, Posseman

NOV 25 1940

(The Associated Press)

Hammond, La., Nov. 24.—The buckshot-riddled body of Eddie Garrett, one of two Negroes sought by a posse following the robbery and fatal beating of a wealthy Hungarian farmer-recluse, was found today in rain-dreched woods 100 feet from the spot where a policeman fired at him yesterday.

Coroner L. L. Ricks, said he had been dead for hours.

Garrett had been fired upon at sunset by Dick Cutrer, Hammond officer from whom he had escaped following his arrest earlier in the day. It was believed he had escaped again when he was not found in a first search of the area.

The posse of sheriffs' deputies, state policemen and citizens, aided by bloodhounds, continued the search for the other suspect who was believed cornered in the woods north of here. At least three members of the posse said they had seen him and fired at him.

Steven Bench, 54-year-old Hungarian bachelor, who lived alone on a strawberry farm at Albany, six miles west of here, was found dying yesterday morning by his landlord, Joe Szari. Bench, his head battered with a piece of cordwood, expired as Szari, also a Hungarian, placed him on a bed.

Search for Garrett and the other Negro, whose name was not known to neighbors, was begun when a bucket owned by them was found on the Bench farm. The pair had moved only a few days before into a nearby shack.

A $100 bill and $2500 in postoffice bonds was found in a stove in the Negroes' shack, wadded into a ball but not burned.

Later in the day Cutrer, seeing Garrett with several bundles in a Hammond barber shop, questioned him and took him into custody when Garrett failed to give satisfactory replies. As the policeman was about to place him in an automobile Garrett suddenly fled and Cutrer fired an ineffectual shot.

"I couldn't shoot any more because there were some children in the way," the policeman explained today. "Besides, I wasn't sure then that he was the right man."

Garrett fled into a house and thence into the woods in back of the city.

As he leaped a fence he dropped a wad of bills containing $2600, which was found by children and turned over to Mayor W. E. Jordan.

Late in the afternoon a Negro child reported a man hiding in the woods had given him some money with which to purchase food and cigarettes for him. Cutrer investigated and saw Garrett among the trees, beside a deep drainage canal. Cutrer fired at him with a shotgun and Garrett leaped the canal embankment and disappeared.

Garrett's body was found by Sheriff P. T. Erwin of Livingston parish, in which Albany is situated, and S. A. Sweeney, a posseman. Only about $2 and a small knife were found on the body.

Neighbors said Bench was respected and liked in the community, but was scarcely known except to his landlord as he was seldom seen except when he went to nearby stores to make purchases. The Albany residents said he was extremely frugal in his habits and bought only the barest necessities.

They said he was believed to had $10,000 to $12,000, money made in coal mining in Alabama, in his house as he feared bank failures.

Cutrer said that when he questioned Garrett the Negro said he had previously lived near Loranger where Miss Julia Bergman, 60-year-old dairywoman, was bludgeoned to death last week.

Two in Killings Plead Guilty and Get Prison Terms

NOV 25 1940

Two Negroes who were indicted recently for murder in connection with separate killings, pleaded guilty to manslaughter charges Monday and were given penitentiary terms by Judges William J. O'Hara and J. Arthur Charbonnet of criminal district court.

George Morris, 29-year-old Negro, 1226 North Johnson street, was sentenced by Judge O'Hara to serve two to five years for the slaying of Emanuel George, Negro, 24, 1833 Bienville street, during a quarrel at Bienville and Roman streets on August 8.

Judge Charbonnet sentenced Alfred Charlot, Negro, 33, 2620 Soniat street, to three to nine years for the fatal shooting of Joseph Davis, Negro, 30, 2049 Upperline street, at Cadiz and Robertson streets on June 3.

Find Bullet-Riddled Body of Louisianan

NOV 29 1940

HAMMOND, La.—The bullet-riddled body of Eddie Garrett, one of two men who had been sought by a posse, was found in rain-drenched woods Sunday approximately 100 feet from where he had been fired upon Saturday, presumably by a policeman.

Garrett was accused of robbing and slaying a farmer, Steven Bench, 54, a bachelor, who lived alone on a strawberry farm at nearby Albany. He was found with his head badly battered Saturday.

Officers claim they found a $100 bill and $2,500 in postal savings bonds stuffed in a stove in a shack which purportedly had been occupied by two Negroes who had been living there only a short time.

Suspicion was that Garrett and another Negro were the two Negroes who had lived there.

Accurate details as to whether Garret and the other Negro who was sought were the two who perpetrated the crime had not been obtained Monday. "Dead men tell no tales" and the whereabouts of the other "supposed" accomplice was not known.

1937 KILLING LEADS TO MURDER CHARGE

NOV 27 1940

Edward Allen, 24-year-old Negro, 508 South Derbigny street, who had been sought by police since June 22, 1937 in connection with the fatal stabbing of Edna Cornish, Negro, 28, at 441 Saratoga street, was arrested Tuesday and booked at the First Precinct station on a charge of murder.

When arrested at Erato and South Rampart streets by Detectives Mateo Azcona and Alfred Reyer Allen is said by police to have admitted stabbing the woman during a fight. Police said the suspect told them he fled to Algiers after the killing, lived there a short time and then returned to New Orleans. Allen, also known as Edward Green, had been employed as a WPA worker.

PLEADS TO WORK; SHOT

NOV 28 1940

New Orleans, La. — The plea of a Negro workman that he be allowed to make a day's work after having braved the freezing weather to report for work is said to have enraged "Slim" Dorsey, white foreman for the Atlas Construction company to the extent that he attempted to murder the workman, Jess Williams, and his brother, James, by shooting them down with a shotgun, last Saturday.

According to R. J. Anderson in the New Orleans Sentinel, the shooting occurred 18 miles out of Bogalusa, La., where a spillway is being built by the Atlas Construction company.

ACCUSED SLAYER TO BE RETURNED FOR TRIAL HERE

Extradition Papers Asked for Suspect in Killing of Policeman

DEC 12 1940

Two detectives will leave for Detroit, Mich., within the next few days to return Wilbert Moore, alias Wilbert Smith, 37-year-old Negro, who has been sought by New Orleans police for nearly 11 years in connection with the slaying of Patrolman Lester H. Johnson, 39, 2826 Lepage street, at Esplanade avenue and North Rampart street, Chief of Detectives John J. Grosch announced Wednesday afternoon.

The murder suspect, who was arrested several days ago by Detroit police, is said by Chief Grosch to have been identified by fingerprints. Moore or Smith, according to dispatches, admitted his identity but denied killing the policeman. He refused to waive extradition.

Extradition papers will be prepared by District Attorney J. Bernard Cocke and after they have been signed by Governor Sam Jones the detectives will leave for the prisoner.

Killed in 1930

Patrolman Johnson, who was an emergency officer and doing streetcar strike duty at Esplanade avenue and North Rampart street, was shot in the abdomen and fatally wounded at 12:20 a. m. January 18, 1930, when he sought to arrest a Negro for driving a dilapidated automobile. The policeman died in Charity hospital on January 23.

Before his death Patrolman Johnson said he was standing at Esplanade avenue and Rampart street when he saw a Negro driving an old car down North Rampart street and he told him to drive around the corner on Esplanade avenue and stop.

As the Negro stopped the car he was placed under arrest and as he alighted from the machine he leaped at the policeman. The officer and the prisoner engaged in a struggle and during the battle Patrolman Johnson struck the Negro on the head with his blackjack.

Fired One Shot

After battling for several minutes the Negro broke away and after running about 30 feet stopped, drew a revolver and fired one shot which struck the officer. After being wounded Patrolman Johnson fired three ineffectual shots at the fleeing Negro.

The Negro's automobile was taken to police headquarters and Chief Grosch said ownership was traced to Moore or Smith.

On February 27, 1930, a true bill for murder was returned against Moore or Smith by the grand jury for the killing of the policeman.

FARMER IS FATALLY SHOT, NEGRO SOUGHT

(The Associated Press)

Clarence, La., April 21.—John Mixon, 33-year-old farmer of near Clarence, La., Winn parish, was shot to death by a Negro in front of the Negro's shack on a farm near the Natchitoches-Winn parish line five miles east of here.

Sheriff Bryant Sholars of Winn parish said two Negro witnesses to the shooting reported Mixon was shot by an 18-year-old Negro who worked [illegible] farmhand.

Sholars said he had not learned what the motive of the shooting might have been. The officer said Mixon was slain in a weedy lot with a revolver.

The Negro had not been apprehended late tonight.

Negro Suspect Is Sought In Louisiana Ax Slaying

TALLULAH, LA., May 4.—(AP)—Search for a negro suspect in the ax-slaying of Henry Massie, 50, farmer, and the serious wounding of George Schalnus, 50, farm owner, spread through two states tonight.

Madison Parish officials asked Vicksburg, Miss., police to be on the lookout for Tom Smith, negro, sought in connection with the ax attacks last night on the Schalnus farm eight miles from here.

NEGRO BEING SOUGHT IN AX SLAYING CASE

ine Farmer Killed, Another Injured In Louisiana

TALLULAH, La., May 4.—(AP)—Search for a negro suspect in the ax slaying of Henry Marrie, 50 farmer, an dthe serious wounding of George Schalnus, 50, farm owner, spread through two states Saturday night.

Madison Parish officials asked Vicksburg, Miss., police to be on the lookout for Tom Smith, negro sought in connection with the ax attacks Friday night on the Schalnus farm, eight miles from here.

Mr. Massie, his head split open, died instantly. Mr. Schalnus in a Tallulah hospital with neck shoulder and hip wounds, is expected to recover.

Mr. Schalnus, for whom Mr Massie had been working six weeks, said he heard cries coming from the latter's cabin, went there to investigate, and fired several shots from his pistol at a man he saw leaving. The intruder rushed upon him, Mr. Schalnus said, beat him with the ax and fled.

Bandit Slays New Orleans Watchman

NEW ORLEANS, La.—Hot on the trail of the brutal slayer of Maurice Barabino, 60, night watchman for Gravier garage across the street from First police station here, detectives traced the murder to Paradis and found the escape car burned. The car had been abandoned and assailants escaped.

Day attendant at the garage, Alfred Godden found Barabino in a rear toilet with blood spattered over his body, when he came to work Friday morning.

Barabino was still unconscious when rushed to Charity hospital where he died several hours later.

THREE BOYS HELD FOR KILLING OF TAMALE VENDOR

Clio Street Holdup, Netting $1.65, Ends in Murder Probe

Three 17-year-old Negroes were being held Friday night by police for murder in connection with the fatal shooting of Jacob Veldkeissen, 55, hot tamale vendor, 532 North Rampart street, during a holdup early on July 8 in the 1800 block on Clio street.

Those under arrest are Joseph Bryant, 1404 South Rampart street; William Jones, 2402 Clio street, and Isaac Wesley, 2526 Thalia street.

Bryant is said by police to have confessed shooting Veldkeissen after robbing him of $1.65 and to have implicated the other Negroes.

Veldkeissen was wheeling his hot tamale carriage on Clio street, between Baronne and Dryades streets, at 12:45 a. m. when he was stopped by a Negro who demanded money.

Dying Words

Before his death in Charity hospital a few hours after the shooting Veldkeissen told police that when he struck at the man, the Negro fired three shots, wounding him in the abdomen, arm and hip. After being wounded the vendor pursued the Negro bandit, who turned around and fired three more shots.

While making his escape Bryant is said by police to have knocked down a Negro woman. The Negro woman, whose name police withheld, is said to have identified Bryant.

In his purported confession to police Bryant is said to have stopped Veldkeissen under the pretext of buying hot tamales. After paying the vendor for the tamales Bryant is quoted by police as saying that he drew a revolver and took $1.65. He is said to have stated that Jones and Wesley were hiding in a nearby alley and when Veldkeissen grabbed at the revolver he shot him.

The Negroes are said to have told police that they had been to a night club and spent all of their money.

Police said the suspects told them they left the night club and planned to holdup a drug store at South Rampart and Girod streets but that there were "too many people in the place." While walking around the street, they are quoted by police as having said, they saw the hot tamale vendor and decided to rob him. After the fatal shooting the three Negroes are said by police to have returned to the night club.

OFFICER EXCUSED AFTER KILLING OF BURGLAR SUSPECT

Patrolman Charles Gonzales of the Algiers police district was exonerated Thursday by Assistant District Attorney Guy Johnson for the fatal shooting on August 22 of James Moore, 27-year-old Negro burglar suspect, 1209 Dumaine street, in front of the home of Mrs. Edward McMahon, 713 Pelican avenue, Algiers.

Moore, according to police, was shot in the back when he attempted to escape after grappling with Patrolman Gonzales. Gonzales said he saw the Negro, whom he recognized as being wanted for investigation in connection with a recent robbery, enter the home of Mrs. McMahon. When he tried to arrest the Negro, Patrolman Gonzales said, Moore tried to grab his revolver and engaged him in a struggle. As he tried to break away the officer said he fired one shot which struck the Negro in the back.

Moore died Wednesday night at Charity hospital and following an investigation Assistant District Attorney Johnson refused to accept a manslaughter charge from Captain George Hoffman, commander of the Algiers police. Johnson said Patrolman Gonzales acted in the performance of his duty.

Maryland Police Finally Trap Negro

STOCKTON, Md.—(AP)—A Negro suspect, sought for five days in the slaying of Harvey Pilchard, Stockton farmer, was captured by state police today on the farm of Harvey Redden.

He was placed in a police car which sped away before many of the civilian searchers knew he was in custody.

It was not known where he was being taken. Four other Negroes arrested in the case are in the Harford County Jail at Bel Air.

State troopers, county officers and a civilian posse had searched a swamp near here for three days in search of the suspect.

A mob of about 1,000 men smashed into the Snow Hill Jail Tuesday night and took two Negro women they believed knew of the suspect's hideout. The women were rescued by state police.

Pilchard was shot to death and his wife wounded Sunday by Negroes who entered their home and demanded money.

2 Colored Slayers Sentenced to Die

Baltimore, Feb. 23 (AP).—Two Philadelphia colored men, William T Sorrell, 34, and Otis Harnell, 23 were sentenced to death today by a three-judge court for the murder of Wallace Smith, 74, also colored, in a holdup December 16. The two were accused of shooting Smith brother of the late Thomas R Smith, well-known colored politician, in the armed holdup of patrons of a political club where bets were being taken on horse races.

INDICT PAIR IN SNOW HILL CASE

SNOW HILL, Md., March 7 (ANP)—Arthur Collick, 28, and Charles Manuel, 18, were indicted Monday by a special grand jury, for the murder of Harvey Pilchard, Stockton farmer, and criminal assault of his wife.

Collick was seized Feb. 16 after a dragnet manhunt through the weird Pocomoke River swamps, and Manuel some days later. The slaying, alleged to the two men, so incensed the flinty Maryland mobs that two colored women witnesses were abducted from the jail here on the night of Feb. 13.

HOMICIDES SET NEW RECORD IN DETROIT, MICH.

Chicago Defender
SEP 28 1940

Murders and Suicides Hit New High; 4 Deaths Stir Local Police

DETROIT. — The greatest epidemic of homicides in the history of Detroit scarred the records of the Detroit police department during the final four days of the past week. Four persons were killed in that period of time, three murdered and one by self-inflicted wounds.

The killing spree started September 18 when Onetha Dawson, 35, of 3129 Monroe avenue, slashed his common-law wife, Mabel Dawson, to death in his automobile, leaving the body of the dead woman in the car which was parked in the middle of Macomb street. The killing occurred at 10:15 p.m.

The following morning James W. White, 56, of 507 Superior street, in a frenzy of jealous rage, shot and killed Mrs. Halies Williams Wise, 39, of 541 East Adams avenue, and then blew his brains out with the same pistol.

Steve Constantinou, 47, of 2016 Brush street, white owner of a restaurant, stabbed Willie Glower, 25, of 215 East Elizabeth street, to death during an argument in the restaurant owned by Constantinou.

Just two weeks ago Mrs. Carolyn Woodward, 28, of 541 East Adams avenue, shot and killed Mrs. Mary Williams, 26, of 290 East Vernor Highway, during an argument in the Brown Bomber chicken shack.

Dawson, separated from his wife since last May, saw her last Wednesday night as she entered a house at 1445 Monroe with Walter Humphries. Dawson waited outside until the couple left the house, approached the two and knocked Mrs. Dawson down before Humphries fled.

Pulling the woman into his car, Dawson drove two blocks, stopped the automobile in the middle of the street, and began slashing Mrs. Dawson, cutting her in the face, on the throat, and arms and wrists. He left the body in the car, surrendered to police after he had been treated at the hospital for self-inflicted wounds on his hands. He is held on a murder charge.

Mrs. Wise, who had been having an affair with White for the past three years, had gone to his home early on the morning of September 19. White answered her knock, and an argument developed on the porch. According to witnesses, White struck Mrs. Wise before dragging her into the house.

Although Mrs. Wise pleaded with him, he grabbed a pistol from a drawer and, after accusing her of running around with other men, began beating her on the head before shooting her twice, once in the temple and another bullet striking her in the neck. She fell beside his bed.

White then turned the gun on himself, putting a bullet through his right temple. He was dead when police arrived.

Constantinou told police that Glower had come into his restaurant and demanded whiskey and when the owner refused, grabbed him. Constantinou said he picked up a butcher knife and stabbed Glower, the blade striking Glower in the stomach.

Henry McLemore, 30, was found guilty of manslaughter by a jury in the court room of Recorder's Judge Arthur E. Gordon, Friday afternoon. McLemore was charged with the fatal stabbing of two men, Sam McWilliams and Rutherford Moore, during an argument in a dice game June 13. He was tried for the death of Sam McWilliams.

Slain Girl's Body Still Unclaimed

Defender
Chicago, Ill.
DEC 7 1940

DETROIT.—The body of pretty 24-year-old Billie Lee, killed last week by her estranged lover, lies unclaimed in the Wayne county morgue.

Miss Lee was shot to death November 23 by Howard Cain, 28 who then turned the shotgun on himself, inflicting fatal wounds. The tragedy occurred in the northwest section of the city where Miss Lee had been employed as a maid.

Police have been trying vainly to locate some of Miss Lee's relatives in Toronto, Canada, her former home. However, close friends of the dead girl declare they had never heard her speak of any relatives.

Funeral services for Cain were held from Plymouth Congregational church last Wednesday. Rev. Horace A. White, pastor of the church preached the funeral sermon.

The dead man was a member of one of the promient families in the city. He was married and employed at one of the automobile plants.

NEGRO NAMED IN COURT AS KILLER OF OFFICER

State Concludes Evidence In Trial At Prentiss

PRENTISS, Miss., Jan. 13.—(AP)—Peace officers' testimony that Hilton Fortenberry, negro, fired the shot that killed former Marshal J. C. Sanford here New Year's Day concluded the state's evidence today in trial of Fortenberry and Jerome Franklin, another negro on murder charges.

Testimony opened today under bayonets of National Guardsmen sent here by Governor White to insure against a threat of lynch law," and is expected to be concluded tonight. Yesterday was spent picking a jury.

Sheriff S. G. Magee testified that Franklin, caught soon after the slaying which came when officers tried to stop a car in search of contraband liquor, told him Fortenberry fired the fatal shot. Earlier Highway Patrolman Vance Strickland, who went to Houston, Texas, to return Fortenberry, testified the negro told him he fired one shot through the rear door at the peace officers.

Spectators were searched for weapons by the guardsmen, who sat in the courtroom alongside the nervous defendant, whose courage was not improved by erection of a scaffold in the backyard for a forthcoming execution.

Mississippi Defendants Are Found Guilty

PRENTISS, MISS., Jan. 13.—(AP)—A Jefferson Davis County Jury returned a verdict of "guilty as charged" tonight against two negroes tried for the slaying of a white peace officer and they were sentenced to be hanged Feb. 23.

The jury deliberated 45 minutes. The negroes, Hilton Fortenberry and Jerome Franklin, were brought to trial yesterday for the fatal shooting of former Marshal J. C. Sanford here New Year's Day.

About 75 National Guardsmen under command of Major T. B. Birdsong surrounded the courthouse. There was no demonstration at the verdict.

Probe Slaying By Rookie Policeman

GREENVILLE, Miss.—The local branch of the National Association for the Advancement of Colored People announced this week that it is planning a thorough investigation into the fatal shooting of Willie B. Ricks, 19-year-old youth by a recently appointed police offier.

Ricks, who was shot from a train as a hobo, is said to have had some words with Officer Davis when both of them worked at the Chicago lumber mill here. It is believed that the shooting grew out of this old feud.

The slaying took place Tuesday night when Davis, in a private car, ordered several boys who were stealing a ride on a train to jump off. When Ricks jumped Davis opened fire killing him instantly.

COLORED 'STOOGE' CAUSE OF TRAGEDY

Mississippi Justice Moves Into High Gear

Caught	Jan. 4
Arraigned	Jan. 6
Tried-Convicted	Jan. 13
To Die	Feb. 23

By JOHN R. WILLIAMS
(Staff Correspondent)

NATCHEZ, Miss., Jan. 25.—While defense counsel for Jerome Franklin and Hilton Fortenberry prepares an appeal to the State Supreme Court to save the condemned couple from legal lynching February 23, the full story behind the killing of former Town Marshal J. C. Sanford, New Year's Eve, is coming out.

This story, according to well-authenticated reports, involves the State-wide system of bootlegging in vogue in Mississippi. It is generally conceded that Mississippi has been kept dry for the benefit of the bootleggers, and that the bootleggers operate under the supervision of the sheriffs and town marshals.

SAY BUSINESS PLIED THROUGH NEGRO STOOGES

Most of these white peace officers who are said to be a part of the vast State-wide bootleg system, are said to ply their business through Negro stooges. That is where Franklin and Fortenberry now condemned to die after being protected from a lynch mob by National Guardsmen, come in.

Franklin and Fortenberry are said to have been selling liquor as agents of the sheriff at Columbia, Msis., but the two men had reportedly gone beyond the limits of their territory and were suspected of peddling booze in Prentiss, the alleged territory of Town Marshal Hance Polk.

Polk, suspicious of Franklin and Fortenberry, allegedly put his Negro stooge, Willie Barnes, on the trail of the two men. Barnes was sent to Columbia by Polk to check up on Franklin and Fortenberry. When Barnes learned that his quarry was going to Prentiss, he notified Polk in advance and accompanied the two bootleggers on the way.

Two Sentenced To Hang In Mississippi

PRENTISS, Miss.—(SNS)—Hilton Fortenberry and Jerome Franklin, convicted in the slaying of a white peace officer New Year's day, Monday had been sentenced to be hanged February 23. The two men were found guilty by a Jeff Davis county jury.

About 75 national guardsmen were on duty at the trial to prevent mob action.

The convicted men were accused of killing Officer J. C. Sanford when he and other officers tried to stop an alleged liquor car. Franklin and Fortenberry were reported riding in the car.

Jackson,Miss. Daily Clarion Ledger
April 4, 1940

Murder Is Always Murder Regardless of Color Lines

Two negroes were killed in Hinds county Sunday, with the alleged killers being jailed in each case.

Another won distinction of a sort by being shot with a "bobby pin," a form of hair pin, which had been left in the barrel of the rifle used by the woman doing the shooting. Both pin and bullet wounded him.

Neither of the two killings aroused much interest or inspired much publicity. Neither had any sensational or unusual angles. Many readers dismissed them with the thought, "Just another negro killing."

And that attitude, as we have reminded before, is dangerous, especially when shared by law officials, prosecutors, and citizens serving as jurors.

A killing is a killing, and murder is murder, when victim and killer both are colored, even as when either or both are white.

And every killing of a colored person by a colored person should be prosecuted as diligently and as efficiently as any other killing.

Only in this way can the law-abiding members of the colored race, the vast majority, be protected against the "bad men" among themselves. And they are entitled to and should receive that full protection of the law.

Only in this way can our scandalously high homicide rate be reduced. And only in this way, in the large run and the last analysis, can our white people also be protected against such crimes.

Murder is murder, and must be prosecuted as such, regardless of color of the victim or killer.

Doctor Killed In Mississippi

JACKSON, Miss.—(By Alvin Hall for ANP)—Dr. I. W. Brown, one of the oldest and most prominent physicians in the state of Mississippi, was murdered in true gangland fashion here Friday night when an assailant stepped on the running board of his car and fired two shots before aid could reach him.

Dr. Brown, who was answering a call at the corner of Grayson and Fortification streets, had reached his destination when he was attacked. The slaying, according to persons in the neighborhood, happened so quickly that Dr. Brown's assailant was able to escape easily without being detected. No motives have been found for the murder.

Prominent, not only as a physician but as a church and civic leader, Dr. Brown had come to Jackson several years ago from St. Louis, Mo., where for many years he was a practicing physician. He is survived by his widow, who lives in St. Louis, and relatives in and near Jaikson.

THREE SLAIN HERE

St. Louis Mo

St Louis Argus

Brutal Killings Shock the City

8-31-40

Three Coroner's jury verdicts of homicide were returned at inquests Monday in the slaying of a woman and two men. Two persons were held without bond in the cases, while a third who fled was sought by police.

The victims of the slayings were:

Aldophus Miller, 43 years old 3321 LaSalle St.

Josephine Woods, 35, 2115 Clark Ave.

Armstead Lewis, 45 , 3641 Cook Ave.

Jealousy Blamed

Keeping a rendezvous with the wife of a jealous man cost the life of Aldophus Miller, 43 years old, 3321 La Salle St. about 1:05 p. m. last Friday. Police ought Frank Moore, 37, whose wife, Mrs. Emma Moore, 25, named as the slayer.

Miller was found lying face down on the top of the outside stairway at the home of the Moore's, 520a S. Garrison avenue by Probationary Patrolman Jesse Gray and two other officers. He was conveyed to Philips Hospital in the patrol where he was pronounced dead from head, shoulder and right leg gun shot wounds.

Mrs. Moore turned over to officers a .32 caliber revolver containing five discharged cartridges. When questioned Mrs. Moore stated she had been keeping company with Miller and that he visited her at her home August 21, at which time she was separated from her husband, who was very jealous of her and became angry if she spoke to anyone else.

About 10:30 p. m. Friday after she and her husband had retired, there was a knock on the door and her husband remarked that it might be some of her boy friends. He went to the door and asked who was there and the man outside replied "Dee". She stated there then followed some conversation, which she did not hear until suddenly three pistol shots rang out. She then got out of bed and her husband came into the house and placed the revolver in a davenette and left, saying he was going to get the law.

St. Louis Argus

Miller's remains were identified at the morgue by his daughter, Mattie Miller of 3321 Hickory street.

St. Louis Mo

A Coroner's verdict was returned in the case.

8-30-40

Struck With Chair

Josephine Woods, 35 years old, died at Phillips Hospital about 10:40 p. m. Saturday from a fractured skull. She was reported struck over the head with a chair by Jim Willie (Slim) Howard, wrecking company worker, who resided with her at 2115 Clark avenue, about 8:10 p. m. Saturday.

Eva Jeffries, 2114 Clark avenue, testified that children came to her home and told her the people were fighting upstairs.

Sarah Spate, 2115a Clark avenue, said she had never heard the couple arguing.

Willie Mae Robinson, 317 S. Montrose avenue, cousin of the deceased testified Mrs. Woods' came to her house early Saturday in the rain and told her "Howard" was after her. About half an hour later he followed her. He told Mrs. Woods she had better not come down there unless you have all the law in St. Louis. I'll go to Jefferson City for you, she testified. It was the second time they had an argument and the first time he begged her to go back with him.

A Coroner's jury verdict of homicide was returned in the case. Assistant Circuit Attorney Woodard ordered the defendant held without bail for the Grand Jury.

Stabbed On Ground

Armstead Lewis, 45 years old, 3641 Cook avenue, was stabbed to death about 1:35 a. m. Sunday at 21st and Wash streets. Police arrested David Patterson, 34, 3161 Brantner place, with whom he was said to have had an argument. He was unemployed.

Survivors are two sisters, Sabra Ash and Estelle King, two brothers, Will Lewis and Godfrey Lewis, and a widow, Maggie Lewis. Funeral services were held Thursday from Pettis Funeral Home.

Police testified that Patterson stated he was seated in front of 2121 Wash ,with a girl friend Lewis passed by and made remarks about the girl, which he resented. No weapons were found on Lewis. Patterson was bruised about the knuckles and forehead.

Susie Jenkins, 30 2121 Wash, testified she was talking to Patterson and Lewis walked up and started to cursing her and Patterson asked him not to do that and she continued then Patterson got up and they faced each other and she ran. She testified she had never seen Lewis before.

Oliver Allison, 2121 Wash, stated he and Patterson and his girl friend were sitting on the curb drinking when Lewis came along and cursed and Patterson asked him not to curse in front of his wife. When Lewis cursed again Patterson got up and walked toward Lewis, who backed away and Patterson drew a knife and Lewis fell in the car track, and Patterson hit him with the knife while he was down. Lewis got up and ran and Patterson caught him and cut him again and Lewis fell again.

Cora Johnson, 2119 1-2 Wash street, testified she saw a man chasing another and striking at the other man and observed the man being chased fall then saw blood and heard him gasp "Willie Mae, I'm dying, my breath is getting shorter."

Willie Mae Bowen, 26, 1009 Compton avenue, testified that she went to spend the night with Addie Moore, 45, 2119 Wash street and Lewis had been with her and was drinking and he said he was going home and after he had gone about five minutes she heard him hollering "Willie Mae" and looked out of the window and saw three men chasing him.

Oliver Ellis was identified by Mrs. Bowers as one of the three men known as "kind Buddy", who officers said showed up Monday at the inquest and volunteered to testify as a witness.

A sergeant stated that Willie Bowers made no statement about three men until she took the witness stand and the only ones prior to that reported were the two.

A homicide verdict was returned by the Coroner's Jury Assistant Circuit Attorney Woodward ordered a temporary warrant for first degree murder, issued against Lewis and Allison and Willie Jenkins were held as material witnesses.

RAILROAD AGENT KILLS MAN IN CHASE

The Call

8-30-40

Said Ball Stole Lumber; Shot Twice as He Fled

Kansas City J. Kansan

ST. LOUIS. Mo. — (Special) — Chester Ball, 28, of 1400 Delvin avenue, was shot and instantly killed early Saturday morning by a special agent of the Missouri Pacific railroad in the company yards at 5800 Manchester avenue. The agent reported to the police the youth was trying to escape arrest on a charge of stealing lumber.

Special Agent John Doerr told the police Ball had been taken into custody but knocked the railroad detective down and fled as he was being taken to a police call box.

Doerr said that he and Special Agent Herbert Schmaltz came upon a box car and found lumber scattered around about it for 60 feet at about 2 a. m. Saturday. They waited in the vicinity for two hours and a half and finally they saw Ball coming from the south side of the track with a bundle of wood on his back, Doerr stated. When Ball got to the street car tracks, Doerr continued, the officers ordered him stop. Ball dropped the wood and started to flee to a vacant lot. Schmaltz stumbled and fell during the chase but Doerr finally caught him. Doerr said that while he was taking Ball to a police call box, the youth knocked him down, hit and kicked him, and then ran.

According to the railroad detective's statement, he drew his gun and fired two shots after the youth, Ball dropped, two bullets had entered his head behind the ear. A jury in coroner's court Monday returned a verdict of justifiable homicide.

Ball is survived by a widow and four children, Erma Jean, 6; Chester Jr., 4; Dorothy Mae, 2 and Richard. 17 months. Ball was employed on the WPA until about a month ago when he was laid off. He was a deacon in the Patterson Avenue Baptist church of which the Rev. N. H. Bolden is the pastor.

'4 Indicted' In Slayings In St. Louis

St. Louis Argus

St Louis Mo.

Three Face Trials For First Degree Murder

The September term Grand Jury has returned indictments of first degree murder in three cases involving Negroes and a no-true bill in another slaying. In a fifth case they returned indictments on four charges of manslaughter growing out of a fatal automobile crash on the Superhighway. The trio indicted of murder were: Willie Wright and Willie Robinson in the stabbing July 13, of Frank Stewart, 31, 2641 Delmar Blvd., near his home when Stewart objected to them beating an old man.

SEP 27 1940

Church Slayer Indicted

John Gray, 32, in the shooting of his estranged wife Mrs. Anna Eva Gray July 14, in front of Calvary Baptist Church after accusing her of giving his money to another man.

A death sentence or life sentence is faced by both.

Lucille Miller, demented girl in the fatal shooting of her father, Orlee Miller, 38, at 4435 Garfield Ave.

A no-true bill was returned in the fatal stabbing of Cornelia Doubley by her roommate Virginia Sykes in a tavern fight July 4 in the 2800 block on Easton.

Four charges of manslaughter were voted against Walter Bryant 36, 923 N. 7th St., whose automobile figured in the Superhighway collision July 14 in which four persons were killed and seven hurt.

Evidence of Wanton Act Brings Suit

Victim Shot In Back of Head; Officer Says He Was Kicking Him

A verdict of justifiable homicide while in the performance of duty was returned by a Coroner's jury Monday in the fatal shooting of Chester Ball, 28 years old of 1400 Delvin street, about 4:30 a.m. Saturday. He was shot in the head by Private Watchman John Doerr, 40, (white) of the Missouri Pacific Railroad, near the railroad yards at 5917 Manchester avenue.

According to Doerr, who took the stand to testify at the behest of the railroads attorney, he observed Ball carrying lumber and placed him under arrest. While holding Ball by the belt walking him to a police call box, Ball suddenly struck him in the face and knocked him down, then attempted to kick him whereon he drew his .38 revolver and fired two shots at Ball, who toppled over. Ball was apparently instantly killed.

Beside the tracks in the weeds officers testified they found six foot boards which the watchman said had been removed from a car or a siding. The officer, however, testified they found no evidence of a struggle.

Did Not See Shooting

Testimony in the case was offered by Private Watchman Schamaltz, fellow officer, to the effect that he started off to chasing Ball with Doerr, but fell down and did not see the shooting. Schamaltz was reported to have shot and fatally wounded a colored man he suspected of stealing in the Missouri Pacific yards last year.

Attorney Robert Witherspoon, representing the family, tried to establish by questioning witnesses that both bullets entered Ball's head from the rear and that he was fleeing and not on Missouri Pacific Property at the time he was shot.

A damage suit for $10,000 against the Missouri Pacific Railroad Company for wanton killing was placed by the firm of Witherspoon-McLemore.

Four children, the oldest five years of age, and the youngest one and one half years old, survive. Ball was a WPA employee and deacon of the Patterson Avenue Baptist Church.

TOO MANY HOMICIDES

Homicides in this community have grown to an alarming degree within the last ten days. We doubt that we could point a direct finger at just who is responsible for this lack of restraint of passions among our group. Of course, it is understood that in the first instance, the person who commits the crime is responsible regardless of extenuating circumstances which may have entered the case. But back of that it does seem to us that society owes something to these pepole which they have not received. When we think of what society owes to those whom we stamp as murderers, our mind goes to the law and we wonder if the law is severe enough in meting out punishment to those who are so thoughtless and who have so little restraint as to be so quick as to use the knife, the razor or the gun to snuff out the lives of their victims. But the law says that it is just one arm of society which deals with the frailities of human kind. Many are those who contend that punishment by the courts does not reform a criminal. Neither does punishment give back life to the victims. Then our mind is turned to the home. Most of the homes claim they have done their part in that they have reared "Johnnie" and he was a "good boy" as long as he was under the control of his parents. But he is of age now and they do not know what has influenced him to commit murder. And then the school comes in. The school authorities state that Johnnie has received the proper instructions according to the rules and regulations of the several boards. And, the church and Sunday School declare they have done their duty as far as they were able but Johnnie had wandered away from Sunday School in his early teens and was very sparing in his attendance at church—if at all. But still the question remains, who is responsible for this disregard for human life and for those who hold the lives of others so cheaply?

Surely something must be done. Five murder cases have been before the coroner's jury in the last ten days. The voices of the dead are crying to be avenged. Among them we hear the voices of:

1. Adolphus Miller, Aug. 23—shot down by a jealous husband. St. Louis Argus Sept. 6, 1940
2. Josephine Woods, Aug. 24—skull fractured with a chair by her common-law mate.
3. Armstead Lewis, Aug. 25—stabbed to death by a man when the victim cursed him. St. Louis Mo.
4. Addie Rogers, Aug. 29—shot to death by a jealous suitor.
5. John Stewart, Sept. 4—shot to death in an argument over 45c.

This record is a blot upon the lives and the living of colored people in St. Louis. Thus the question arises again—who is responsible—who pays—how much is the toll? Surely the public conscience must be aroused. Something must be done.

It may be proper to comment here that none of these crimes were committed in the so-called dives—saloons, taverns, etc., and all of the murderers were gainfully employed except one. Surely this offers an opportunity for thought and action.

KILLINGS- 1940

NEW YORK

Wide Protest Against Police Killing of Buffalo Negroe

One Killed, Another Seriously Injured in Wave of Terror; Negro Congress Calls Conference to Map Campaign to Halt Assaults

(Special to the Daily Worker)

BUFFALO, N. Y., Aug. 28.—Unbridled police brutality against Negroes, resulting in the death of one and the serious wounding of another victim the past two weeks, has aroused a wave of indignation here and called forth a broad protest movement.

The first incident occurred on Aug. 13 when James Young, 40, was done to death in cold blood on the sidewalks of the Fifth Ward by two plainclothesmen, identified as Detectives Matthew Getz and Kane. Young had been in a restaurant in the heart of the Negro community, when two white patrons entered and began baiting him. A brief tussle ensued, and Young left the restaurant. The whites then called the police, who managed to pick up Young and began questioning him. Young, not recognizing the plainclothesmen as police, refused to answer. The police then slugged him brutally. Young began to run but the police caught up with him and threw him violently to the sidewalk, holding him down for 15 to 20 minutes until a patrol-wagon came up. In order to keep Young down, one of the detectives kept his heel wedged in Young's throat. When the patrol-wagon arrived, Young was dead.

A few hours later news of the incident came to the attention of Arthur Hanson, Educational Director of the Fifth Ward Branch of the Communist Party. Hanson contacted the Rev. Louis Holley, pastor of the Evangelistic Temple and chairman of the Buffalo Council of the National Negro Congress, who began efforts to reach the murdered man's family in Chicago.

Meanwhile Rev. Holley, in the name of the National Negro Congress, called a conference of Negro organizations to consider further action on the case. The first conference was held on Aug. 17, at by representatives of two churches, the NAACP, a local unit of the Veterans of Foreign Wars, three fraternal organizations and the Communist Party. The conference decided to make a thorough investigation into the cause of Young's death and to initiate legal action against Detectives Getz and Kane for murder.

Another conference was called four days later, attended by additional community organizations. A permanent James Young Defense Committee was set up. Rev. Elijah Eccles, pastor of the Shiloh Baptist Church in the Fifth Ward, accepted the chairmanship. Other officers elected were: Rev. Holley, vice-chairman; Charles Rush, Fifth Ward Democratic Club, secretary; Mr. Westbrook, Buffalo Progressive League, treasurer. The Communist Party is officially represented on the committee by Hanson and Joseph Green, Fifth Ward Branch organizer.

Meanwhile, another incident had occurred, adding fuel to the fires of indignation set ablaze by the Young case. A young Negro boy Claude Atwood, 20, was shot in the back by police while allegedly trying to evade arrest for a suspected burglary. Atwood is lying seriously wounded in Emergency Hospital.

Negro Kills Cop During Questioning

Flees in Stolen Car, Escapes in Woods

Special to the World-Telegram.

WOODMERE, L. I., Sept. 6.—A point-blank blast from a double-barreled shotgun in the hands of the Negro driver of a stolen automobile early today killed Patrolman Charles Shaw, 36, of Woodmere Precinct, who was questioning him.

The Negro bolted from the machine, which the patrolman and Sergt. Bob Kirk found in lonely Railroad Ave., which runs through the grounds of the Woodmere Golf Club. In the darkness of 4 a. m. the slayer escaped into a thicket.

Cops Search Woods.

Sergt. Kirk sent in an alarm that brought 40 patrolmen and police officers. Strong searchlights were trained on the woods as the posse sought the fugitive.

Patrolman Shaw, who was married and had one child, received the full charge from the sawed-off shotgun in his chest. He died in St. Joseph's Hospital, Far Rockaway, Queens, at 6:30 a. m.

The automobile, a sedan, had been stolen a short time before the slaying from in front of the Crestwood Apartments, in Meadow Dr., a block and a half away from the scene. Informed of the theft, the two officers were patrolling the neighborhood. They surprised the Negro as he was attempting to start the machine.

Warned by Cop.

"Look out Charlie, he looks like a bad Negro," Sergt. Kirk warned the patrolman, as the latter got out of the patrol car, with gun in hand, and approached the Negro. The blast came so suddenly, as the Negro let go from a sitting position, that Patrolman Shaw lay dying in the road before he had time to fire a shot.

Sergt. Kirk emptied his revolver at the fleeing Negro, then sounded the alarm.

Patrolman Shaw had been a member of the Nassau County police force for five years. He lived at 2 Berger Pl., Baldwin, L. I., with his wife, Margaret and daughter, Joan, 6.

Two Others Slain.

He is the third patrolman to be shot while investigating the occupants of a car since the department was organized in April, 1925.

Patrolman John D. (Big Jack) Kennedy was shot and killed July 13, 1932, in the woods near Woodmere by Alphonse Brengart, a former state trooper. Brengart was electrocuted for the crime.

Patrolman Fred S. Hirsch was killed May 6, 1931, in Merrick, L. I., by Francis (Two-Gun) Crowley, who also died in Sing Sing's electric chair.

POLICE PROBE BODY IN RIVER

Identity of Victim Known, Manner of Death Mystery

NOV 30 1940

Police are still investigating this week the death of 34-year-old Andrew Simmons, 225 W. 148th St., who was found dead last Thursday when his body was discovered floating in the Harlem River, off 138th St.

Dr. Beck, of Morrisania Hospital, pronounced him dead. How he met death is a mystery, however, even to police. For several hours after the tragedy was discovered, the victim remained in Fordham Morgue unidentified. Later he was identified as an order clerk by occupation.

Says Wife Was Insulted By White Man; Kills Him

NEW YORK CITY, Aug. 29—A 24-year-old Harlemite was being held for a homicide hearing this Friday, following the fatal stabbing of an unidentified white man in front of 170 W. 135th street last week.

The Harlemite, Melvin C. Whittaker, of 29 W. 114th street, was taken into custody at the scene of the stabbing by two radio patrolmen who saw his victim stagger from the hallway of the house.

Whittaker admitted the assault, but stated that he stabbed the man when the latter insulted his common-law wife, Fanny, as they were leaving the building.

Police contended, however, that the man was stabbed in an attempt at robbery. This week, they were still attempting to identify the victim.

MURDERER TO DIE IN [illegible]

Negro Whose Pistol Was Used Second Killing Is Sentenced

DEC 24 1940

Dewey Garrett, 21 years old, a Negro, was sentenced by Judge John J. Freschi in General Sessions yesterday to die in the electric chair in the week of Jan. 27 for the murder of Albert Fields, also a Negro, on Aug. 3 in the latter's home at 26 West 134th Street. His pistol was used four hours later in the fatal shooting of a language teacher in a Harlem hold-up. Garrett was convicted on Friday.

Three days after these shootings two other Negro gunmen were arrested with the same pistol in another Harlem hold-up. The weapon was identified at Garrett's trial by Acting Lieutenant Harry Butts, ballistics expert, as the same that had been used in the two killings. Michael Mercado, a Puerto Rican, and James Williams, from whom the police retrieved the pistol on Nov. 1, were convicted for the second robbery in General Sessions. Mercado was sentenced to State prison for ten to thirty years and Williams for five to ten years.

Francis Saria, 55, of 111 West 113th Street, was the hold-up victim shot with Garrett's pistol. He died in a hospital ten days later.

"The Saria shooting has by no means been dropped," said Assistant District Attorney Joseph Sarafite, who brought about the conviction of Garrett. "The police are concentrating on whether Garrett or Mercado and Williams did it or somebody else."

Trouble in Nassau County

SEP 21 1940

Two weeks ago a white policeman was slain by an unidentified assailant in Woodmere, Long Island in Nassau county. The officer's partner, who was a short distance away when the shooting occurred, reported that he caught a glance of the slayer as he darted through the underbrush. He was described as a light-skinned Negro.

As word spread through the county that a Negro had killed a white policeman feeling among the residents became tense. Immediately there was talk of violence. Police went on the warpath, bent upon living up to the code that "no one shall kill an officer and escape unpunished."

In that section of Nassau county where there is a large population of swarthy or dark-skinned people of Italian descent, it would be an easy matter for the officer to have been mistaken. As it is, his prompt statement that the killer was a Negro served to do two things—create a reign of terror, which threatened to develop into a race riot, and circumscribed the investigation to the hunt for a Negro.

Following reports that the homes of Negroes were being smashed, individuals beaten and driven off the streets, The Amsterdam News sent similar telegrams to Governor Herbert H. Lehman and District Attorney Edward J. Neary, of Nassau County.

The telegram follows:

Amsterdam News

Sept. 13, 1940

Gov. Herbert Lehman
State Capitol Building
Albany, N. Y.

We urge your immediate attention to reports that the police of Nassau County are using "Cossack" tactics in their investigation of the murder of a police officer. Reporters from our office reveal the most inhuman treatment of citizens (all Negroes, and especially young Negro girls) by officers of the law. Up to the present time the identity of the slayer has not been disclosed, but Negroes are being beaten, intimidated and forced off the streets; also their property is being destroyed, because of the report that a Negro is the slayer. The conduct of the police is worse than that practiced by Southern mobs. We don't want to appear alarming, but the condition there, may breed racial conflict, something nobody wants.

N. Y. AMSTERDAM NEWS

Up to press time, Governor Lehman had not replied, yet we feel we have put the responsibility where it belongs.

Nassau county has long been a seething spot of racial and political conflict. A situation that has existed there for many years has made it a danger zone, and it would take just a spark such as that which rode the breeze the other Friday night to set off the blaze.

Mr. Neary admitted one Negro was hit, our reporters said many were beaten; Mr. Neary admitted some property was destroyed, but he charged that to vandals. He feared there might be serious trouble, but promised to take every precaution to prevent it.

The Amsterdam News wants to see the killer of Patrolman Charles Shaw arrested and brought to trial, but we don't want Negroes terrorized, beaten and driven from their homes merely to satisfy the vengeance of the white citizens of Nassau county.

Some peculiar things have happened in that section of the state. We hope the police are looking for the right man.

BRUTAL KILLER MAY GET CHAIR

Twenty-One Year Old Man Found Guilty of Fatal Shooting

DEC 28 1940

Death in the electric chair loomed as the Christmas present in store for Dewey Garrett, 21, of 2 West 113th St., slated to be sentenced this week after his conviction of first degree murder. Garrett was found guilty before Judge John J. Freschi in General Sessions last week of shooting to death Albet Fields, 34, of 26 West 134 St., last August 3.

Fields, reputed to be a "tough guy," was found, his body riddled with bullets, on the roof of the West 134th St. tenement early in the morning after the slaying. From the outset police expressed the theory that the killing had occurred elsewhere and the body left on the roof afterwards.

Testimony at the trial brought out the revelation that the slaying was motivated by revenge. Garrett, it was declared, had been beaten up by Fields in a fight two days before.

Visiting Fields' home, Garrett, witnesses testified, found the former asleep in bed, struck him with his fists and then fired three shots into his body.

Fields' body was then carried to the roof by onlookers, under the threats of Garrett's gun, testimony revealed.

Garrett was arrested five days later by Detectives Barts and Weber of the 32nd precinct when, after a visit to Dr. John B. West at the Harlem Health Center, he was persuaded by Dr. West to give himself up after he had indicated to the medic some connection with the slaying.

Two Convicts Kill Guard In Attempt To Escape Death

RALEIGH, N. C.—(ANP)—Last Wednesday night the State prison here was thrown into an uproar as result of one of the strangest attempted prison breaks in the institution's history, in the course of which a guard was slain.

In the "death row," awaiting execution in the lethal gas chamber, were Clarence Rogers and William Young, the latter being scheduled to die on Friday night, along with Nathaniel Bryant. All three are colored.

Reconstructing the crime, Robert Grady Johnson, state penal supervisor, said the attempted escape and slaying of the guard—J. S. Chesser, employed only six months ago—occurred near midnight. The two convicts, Rogers and Young, picked the locks of their cells with a piece of string and cardboard. After gaining their liberty in the cell block, they hid in an empty cell on "death row" and jumped on Guard Chesser as he made his rounds.

The convicts, Johnson said, were armed with crude "guns" made from soap and with bludgeons made of socks filled with hardened soap, and with the latter weapons beat the guard to death. Chesser's body, bound and gagged, was found shortly after midnight. The convicts opened Bryant's cell but he refused to join them.

Supervisor Johnson said both men confessed the crime after being questioned all night by prison officials. The attempted break and killing of the guard had been negotiated without noise and the first indication a fellow guard had of something wrong was when he failed to see Chesser from an adjoining cell block. He notified officials and several of them went into "death row" where they discovered Chesser's body.

An ominous silence prevailed, said the officials. All was quiet in the death section, and all prisoners, including Young and Rogers, were in their proper cells.

Earlier on Wednesday, Governor Clyde Hoey had refused to extend a reprieve to the condemned prisoners, Young and Bryant.

Killing Climax To Fight

Mother Horrified Witness To Family Tragedy

OCT 12 1940

RALEIGH, N. C. — Stark tragedy struck the Wright home here with a vengeance Sunday night. In its wake a son was left dead, his head torn away by a shotgun blast, and his father was in custody charged with his murder.

The victim of the shotgun blast was David Wright, Jr., whose untimely death at the hands of his own father, David Wright, Sr. climaxed a rough and tumble battle all over the house late Sunday night. The tragedy which was witnessed by the mother of the victim, occurred shortly after the young man returned home about eleven o'clock.

The father told local police he was awakened by the son "knocking things off the table and making a terrible fuss." In a Journal and Guide interview Mrs. Wright, mother of the victim, said, her son and his father fought all over the house prior to the fatal shooting. She exhibited a swollen eye, as evidence of how the battle between the father and son, finally involved her.

The son finally left the house, and the father came out with the gun, and shot David in the head. The blast is reported to have torn half of the young man's head from his shoulders. He died shortly after reaching a local hospital.

The accused father offered no resistance to officers who arrested him and is being held in the local jail on murder charges.

Young Mr. Wright was a porter at a local bank. He is survived by his parents, a sister, Marie, and three brothers, Burton, Horace ,Alonzo, and Roland.

Funeral arrangements were not complete at press time.

Killed By Dad

DAVID WRIGHT, Jr., who succumbed at a Raleigh hospital after, according to investigating officers, he was shot with a gun in the hands of his father, at their home in Raleigh, N. C., Sunday night. Young Mr. Wright was employed as porter at a bank.

Charlotte, N. C. Observer
December 29, 1940

CHARLOTTE'S COMPANION.

Charlotte has a rival for the top-honors in the homicide record.

Chattanooga had 52 murders, all Negroes, up to Dec. 17th, this year, and Police Commissioner BRYAN, of that city, has been calling for more policemen for duty in the Negro communities and at the same time censuring the courts for their leniency.

"Not a Negro has been electrocuted for murder in Chattanooga in 20 years", he declares.

Commenting on the similarity of these conditions in Charlotte and in Chattanooga, The Times of that city says:

"An increase in the number of police officers in Chattanooga and in Charlotte would contribute toward effective control of the criminal element. But more necessary than policemen, able prosecutors, or determined judges is 'a vigorous, determined, public sentiment,' which will not only require of the officers of the law rigorous enforcement of the criminal statutes but will also demand of juries that the crime of murder in its several degrees be punished severely. Enforcement of the laws in this city or in any other is never more effective than is demanded by the public."

And, of course, that's adequately covering the case for both communities.

Cite Values In Spite Of Known Rackets

Teachers Need Support, Aid of Organized Labor

DEC 28 1940

NEWPORT NEWS, Va. — Approximately one hundred visitors, friends, and members of the Virginia Peninsula Teachers' Union, Local 607 of the American Federation of Teachers, attended its first public meeting in the Bemis auditorium of Hampton Institute Trade School, Tuesday, December 17. A provocative roundtable discussion of the place of unionism in education was featured.

Members of the panel were: Dr. Malcolm S. MacLean, president of Hampton Institute; Dean R. O'Hara Lanier, dean of instruction at Hampton Institute; and Principal L. R. Palmer, of the Huntington High School, Newport News.

The function of a teachers union; the extent to which teachers should identify themselves with other workers of the community; the extent of teacher security of employment; teacher tenure; and greater cooperation between teachers and students, teachers and administrators, and the school and the community; were analyzed.

The three speakers expressed themselves frankly in favor of the unionization of teachers. Dr. MacLean, already an honorary member of a Minnesota local, was voted an honorary member of Local 607. Mr. Palmer is already a member if Local 607, and Dean Lanier has identified himself with the problems of the Local since coming to Hampton.

They emphasized the benefits of unionization among teachers — a higher living wage; the securing of tenure, preservation of academic freedom, and a greater community support from organized labor. The speakers also pointed out that present teacher professional organization, by the very nature of their structure and aims, could not fulfill the basic aims of a union. Since teachers are themselves workers they need the support of other workers, and especially the support of organized labor.

In their praise of unionism, however, speakers did not overlook the many evils which have grown up in certain of the craft unions of the AF of L. They admitted that there was some racketeering in unions and that many of the craft unions bar Negroes altogether. But these evils are not inherent in unionism they pointed out.

Roscoe E. Lewis of Hampton a lively discussion from the floor. Though several speakers were hostile to unions, especially unions of teachers, the general sentiment of the speakers was favorable toward the greater unionization of teachers.

Rosroe E. Lewis of Hampton Institute, vire-president of Local 607, summarized the discussions and talks, and gave a brief summary of the achievements of the Local.

Local 607 was organized about two years ago by a group of Hampton and Peninsula public-school teachers. Its membership, consisting of whites as well as Negroes, now numbers about fifty, made up of teachers in Hampton Institute, Huntington High School, Newport News, the Booker T. Washington, the John Marshall School, and the Paul Laurence Dunbar School, all of Newport News, as well as teachers in the Phoenix School of Hampton.

The present president of the Local is Stephen E. Howe, director of physical education in the Huntington High School.

KILLINGS - 1940 NORTH CAROLINA

TWO CONVICTS, FACING EXECUTION KILL GUARD IN ESCAPE ATTEMPT

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Supervisor Johnson said both men confessed the crime after being questioned all night by prison officials. The attempted break and killing of the guard had been negotiated without noise and the first indication a fellow guard had of something wrong was when he failed to see Chesser from an adjoining cell block. He notified officials and several of them went into "death row" where they discovered Chesser's body.

An ominous silence prevailed, said the officials. All was quiet in the death section, and all prisoners, including Young and Rogers, were in their proper cells. Earlier on Wednesday, Governor Clyde Hoey had refused to extend a reprieve to the condemned prisoners, Young and Bryant. They were found guilty of killing a man who surprised them as they were robbing his room-mate.

Accused Man Gets 3rd Trial

WINSTON-SALEM, N. C. Julius Buchanon Winston-Salem hatchet slayer, was granted a third trial Wednesday before the North Carolina Supreme Court. It was the first time that such a thing has occurred in the history of Forsyth County.

The tribunal held that the Solicitor, while prosecuting the man in his second trial, should have not read to the jury excerpts from the Supreme Court's ruling granting a new trial after the first conviction.

The excerpts were: "He, Buchanon, swore both ways."

Buchanon was first tried for murder for slaying his wife, Agnes, with a hatchet shortly before Christmas, 1938. After beating the woman to death, he burned her clothes and the hatchet and at first told police some robbers must have committed the crime, reports said.

Later he confessed to the slaying and pleaded self-defense. Claiming that his wife had attacked him with a hammer when he struck her with the hatchet.

The Supreme Court granted him a second trial because the body held that Judge J. H. Clement should not have made certain remarks regarding the defendant's testimony.

A discussion had arisen between attorney about a question and the judge, clearing up the matter, had injected the remark that the defendant said certain things. The Supreme Court held these as reflecting on Buchanon's character.

When Buchanon had been brought back for the second trial Solicitor J. Erle McMichael read to the jury excerpts from the Supreme Court opinion which granted the new trial.

KILLINGS - 1940

NORTH CAROLINA

White Dixie Farmer Slays Youth In Argument Over Pay

Black Dispatch

GOLDSBORO, N. C.—(ANP)—During a heated argument last Monday with a white farmer over money he claimed was due him as a farm hand, J. D. Sutton, 19, was fatally shot. Arrested and charged with manslaughter in connection with the shooting was Earl Stroud, 35, a farmer of the Seven Springs section of Wayne county.

Stroud was later released in $1,000 bail pending the preliminary hearing at Goldsboro courthouse. According to witnesses young Sutton, after repeatedly demanding his money, followed Stroud into the latter's house. There, it was alleged, the youth threatened the farmer. Stroud then picked up his shotgun and fired one shot into the boy's abdomen, killing him instantly.

White Slayer Gets Life For Slaying

COLUMBUS, O., May 23—(ANP)—The almost axiomatic procedure that follows the slaying of a Negro by a white man was altered somewhat here last week by Judge R. King who sentenced Frank Dennis to life in the state penitentiary for the murder of Phil McNeary, a colored neighbor. Dennis, who clubbed McNeary to death while he was asleep after an argument over money, pleaded guilty to second degree murder. Waiving a jury trial, he threw himself on the mercy of the court.

White Man Gets Life For Clubbing Man To Death

COLUMBUS, Ohio—(ANP)—The almost axiomatic procedure that follows the slaying of a member of the Race by a white man was altered somewhat here last week by Judge R. King who sentenced Frank Dennis to life in the state penitentiary for the murder of Phil McNeary, a colored neighbor.

Dennis, who clubbed McNeary to death while he was asleep after an argument over money, pleaded guilty to second degree murder.

Hammer Slaying of Negro In White District Probed By Police; Robbery Rumored

Dispatch 7-27-40

Eugene Brewton, White, Claims "Negro Got Smart" So He Took Care Of Him; Jailed On Murder Charge

Okla. City, Okla.

Crime Is Second Homicide In 5 Days

The brutal hammer slaying of Lucious Minton, 1827 N. W. 18th Street on Friday marked the second homicide among Negroes in Oklahoma City within five days. Eugene Brewton, 40, white of Britton, Oklahoma is in the county jail charged with murder for allegedly having delivered Minton the fatal blows with a tack hammer. Minton died of skull fracture at Oklahoma City General hospital around 4:00 a. m. Friday.

The body was discovered face down on the sidewalk in front of 207 S. Hudson by Dick Greenwalt, 25, Jones and C. A. Reider, 1523 S. W. 11th Street, with an ugly gaping in the back of the head near the base of the brain.

Henry L. Churchman in a statement to police said he saw a crowd gathering at the spot where the body was found. Nearby he saw Brewton whom he questioned relative to the crime who told him, "This Negro got smart, so I took care of him."

Later investigation showed that Brewton was in company with Irene Hare who is out on a $2,000 bond from Creek County for assault with intent to kill. Her testimony to police reveal that Brewton attacked the Negro after they had engaged in a quarrel. But an additional witness, alleged that he first saw Minton standing holding a telephone post attempting to support himself. Later he claims when he saw the body it had slumped down near the the post where the man had been standing. When he returned with police and after the victim had been carried awafy, he said Brewton approached him and inquired whether or not policemen found the hammer, later admitting his finger prints were on it.

A possible motive of robbery was seen in the death of Minton as he had recently returned from Texas, where he is said to have confided to friends he was going to sell a farm which he owned. But later information revealed that he had not sold the farm as anticipated, and no money was found on the body when discovered.

Rumors are that Minton had visited a cafe in Southtown and had left in company with a white man. Other rumors indicate that Minton had presumably been lured to his death by an accomplice of Brewton's, however this has not been varified by detectives, who were in charge of the case.

Billy Rudy, 707 W. California was said to have been with Brewton at the time Minton was killed and is said to tell a story similar to the Hare woman. Brewton is a well known police character in Oklahoma City and Arkansas and has a number of arrests for vagrancy, accessory to car theft and had been fined a number of times.

Minton had worked for Mr. and Mrs. Val Adams, 1827 N. W. 18 Street for sixteen years and considered a courteous and efficient employee, Mrs. Adams said.

The victim was survived by Mr. Acie Minton, brother, Miss Ola Minton, sister, Hugh Minton, nephew, Mrs. Irene Givens, Mr. Bennie Givens and Mrs. Lena McClinton all of Dallas Texas. Final rites were held Sunday in Blanton and Butler's chapel. Interment was made at Pilgrim Rest Cemetery.

Frame-up Seen As White Contractor Leaves Estate To Alleged Slayer

Courier 1-13-40 Pittsburgh, Pa.

Aged Man's Will Had Disinherited His Own Children and Named Caretaker and Wife as Beneficiaries.

LITTLE VALLEY, N. Y., Jan. 11—A Negro caretaker, who is under indictment for the murder of his wealthy white employer, charged this week that he was being framed so that he could not inherit the large estate which the slain man left him in his will.

The protesting suspect is Oliver Aldridge, 47, who was taken into custody last month several days after Dominick Gregory, an 87-year-old contractor, was found shot to death in the dining room of his home at Olean near here.

Aldridge and his wife, Willie Pearl, had worked for Gregory for several years and were highly regarded by the elderly man whom they cared for on his estate.

The caretaker vigorously protested his innocence at the time of his arrest but was indicted shortly by the Grand Jury for the crime, which occurred on December 9.

Gregory's will was filed before Surrogate Harold Congdon here last week. The will disinherited the contractor's children and named Aldridge and his wife sole beneficiaries.

The size of the estate and personal property was not revealed by Surrogate Congdon. Aldridge is still in jail awaiting trial on first degree murder charges.

Cop Calls Thief's Killing 'Accident'

PHILADELPHIA

Baltimore Md
AUG 1940

Shot "accidentally" by a detective who allegedly surprised him while siphoning gasoline from his automobile early Saturday morning, Abe Butler, 40, of 3413 Ludlow Street, died before he could be removed to the hospital.

Butler was allegedly taking gas from the car of Joseph Kuinan of the narcotic squad, when the detective came upon the scene at Thirty-fourth and Race Streets. Kuinan said as he walked Butler to a police box, the prisoner broke away and fled.

Blamed Tussle

Firing in the air as he ran in pursuit. Kuinan caught the fugitive in a vacant lot at 3346 Market Street, about five blocks away. Butler, a parolee, turned and wrestled with the detective, who said his gun went off accidentally, sending a bullet through the victim's head. He was dead on arrival at Presbyterian Hospital.

Kuinan was slated on a technical charge of homicide and released in custody of his superior officer.

JULY NEW MOON IS BLAMED

Courier

GREENVILLE, S. C., July 18—(ANP)—The old folks down here attach a special significance to the July new moon.

7-20-40

Always preceding the appearance of the July new moon there is a wave of fatalities. The July moon is not the Carolina moon of song and story, it is a blood moon. Blood kin will fight and kill before the July new moon. Blood kin did fight in '76.

Pittsburgh Courier

July 4 fatalities are not the result of the holiday spirit, the coming July new moon makes the blood hot and people kill. With the coming of July 5, the old folks sagely nod their heads as report after report reaches them of what the rest of the world calls Fourth of July fatalities.

At Bishopville as the result of a near riot at a colored ball game, one man was killed, eight men and women are in jail, and two policemen who attempted to quell the riot were injured. The dead man was Johnny Lee Truesdale, of Kershaw, stabbed to death by a colored woman, Mary Wright, who escaped. The two white police officers who attempted to quell the disturbance were severely beaten about the face and head by J. C. Buford of Kershaw.

At Union, James Glenn shot and killed a white man, J. H. Gregory, and wounded his companion. After the killing, which took place in the Negro's yard, Glenn gave himself up to the officers and was carried to an undisclosed jail for safe keeping.

In Greenville, Richard McBee, 12-year-old youth, died of stab wounds allegedly inflicted by his step-father, Ray Arnold. The stepfather was also treated at the hospital for stab wounds about the face and arms.

Wendell Thompson, 25, shot and killed his step-father, Arthur Smith, 50, after wounding his wife, Esther Thompson, twice in the arm. Immediately after the killing Thompson surrendered to the officers. All the parties involved were members of substantial families.

To most people all this is added to the sudden deaths that occur on the Fourth. To the old timers, it is the July new moon, a blood moon.

Greenville Citizens Blame July New Moon for Violence

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Columbia, S. C. State
November 10, 1940

W. W. Ball in South Atlantic Quarterly: Incomparably more serious than lynching, let me stress, is Negro homicide. In the rougher Negro districts of cities it is far too common and ought to have attention from interracial committees. Crimes of violence in Do as You Choose alley (Don't you like the name?), Charleston, South Carolina, deserve the attention of white and colored reformers too much engrossed with contemplation of white men's offenses against "the race."

Continue Probe Into S. C. Flogging Of Four Brothers

Daily world

7-25-40

SPARTANBURG, S. C.—(ANP)—Sheriff Sam M. Henry is still probing the flogging of four Negroes by a hooded band of 20 men a week ago. There have been no arrests but the authorities are continuing the check of the license numbers of the cars that carried the colored men to a deep thicket, where they were lashed severely.

The victims, four brothers, Ernest, L. P., James and Benny Bomar, said that they were carried from their homes and beaten by the hooded band after they failed to

Warrants May Soon Be Issued For Suspects

divulge the whereabouts of a fifth brother, the object of the klan search This fifth brother had been fined a short time previously for "sassing" a white woman.

The governor has as yet issued no statement denouncing this lashing as he did some months ago when a white man was whipped in Anderson. As yet there has been no indication of an investigation by the state detectives as was done in the Anderson flogging.

It is generally believed that the authorities have some definite evidence as to the identity of the masked floggers and warrants may be issued shortly for their arrest.

Columbia, S. C. State
September 22, 1940

Press Hunt in Chester for Lathan Slayer

Chester, Sept. 21—(AP)—Sheriff William H. Peden of Chester county said tonight that Will Hood, alias Willie Dixon, 28-year-old Negro, was being hunted by authorities of this and nearby counties for questioning in connection with the shotgun slaying yesterday of Walter W. Lathan, 63, a prominent farmer of the Blackstock community, 12 miles south of here.

Officers searched a wide area throughout the night and day but have found no trace of the Negro, Peden said. Large crowds of citizens assisted in the hunt during the night, and the sheriff said feeling was running high.

Lathan was killed by a shotgun blast as he was leaving a field where he had been paying cotton pickers. No motive for the shooting was known.

Peden said he understood that Hood was wanted in Charlotte, N. C. He described the Negro as medium-sized, weighing 150 to 155 pounds and very black. He was wearing a soft gray cap, gray vest and green trousers.

Funeral services for Lathan will be held tomorrow at 2:30 p. m. at Hopewell Associate Reformed Presbyterian church near here.

Spartanburg S. C. Herald
December 10, 1940

Inquests Are Conducted In Week-End Deaths of Three Spartanburg County Negroes

Coroner's Jury Recommends That Two Negroes Be Held for Deaths

Two negroes were ordered held for further investigation by members of a Spartanburg county coroner's jury who yesterday conducted three inquests in as many negro deaths during the past week-end in Spartanburg county.

The jury ordered Clarence Jenkins, 24-year-old negro, held in connection with the deaths of William Baxter and Vance Woodruff, negroes who were killed in an automobile accident at Hobbysville Saturday night. The two inquests were conducted jointly.

The same jury recommended the holding of Perry Wofford for investigation in connection with the death of Geddes Fuller, who was fatally knifed Sunday afternoon in an altercation at Walnut Grove.

The three inquests were brief, and altogether did not consume more than 30 minutes.

Magistrate J. W. Davenport presided at the inquests, held in his offices at the county courthouse.

Two Affidavits

No witnesses were heard in either case, but affidavits of W. H. Pearson and James Harvin O'Shields, white mortorists who witnesssed the Saturday night accident in which an automobile filled with negroes crashed into a tree, were introduced.

Their sworn statements follow:

"W. H. Pearson, who being duly sworn, says: On Saturday evening around 11 o'clock I was coming up the Buncombe road headed toward Woodruff when a car passed me going in the direction of Woodruff. The car passed me just before entering a curve and I could see the car turning up on two wheels when it began to round the curve. The car began swerving across the road after it hit the tree on the curve and stopped. The car was partly across the road when I got to the scene of the accident. It seemed to me that this car was driving between 35 and 40 miles on this curve when it wrecked. I stopped and rendered all assistance that I could. The people in the car that was wrecked were colored and there were six of them in the accident.

"I did not smell the odor of whisky or any other intoxicating beverage on any of the occupants of the car.

"W. H. PEARSON."

"James Marvin O'Shields, who being duly sworn, says I live at Enoree, S. C., and was traveling on the Buncombe road going in the direction of Woodruff at about 11 o'clock Saturday night when I noticed a car going around a car entering a curve. His right back tire hit the shoulder and it went from an angle into a tree and then into the road again at an angle. I ran on to the scene of the accident and rendered all the assistance that I could. I talked with Jenkins who I learned was the driver of the car and he told me he was driving between 45 and 50 miles per hour when he hit the curve but that he did not know the curve was there. I did not smell the odor of whisky on any of the occupants of the car.

"JAMES M. O'SHIELDS.

Fuller Inquest

In the other inquest, an affidavit by Chief of County Police F. S. Moore was introduced, telling of a conversation held by the officer with Wofford following the death of Fuller at 5:30 o'clock yesterday morning at the county colored hospital.

The affidavit follows:

"About 10 o'clock Monday I talked with Perry Wofford on the way to Spartanburg and Perry said that on Sunday afternoon, December 8th, that he along with a number of other colored people were in the house on Mr. Clifford Miller's farm, and Geddes Fuller stepped on his foot (Perry Wofford) and that he, Perry, asked Geddes to get off his foot and Geddes replied by cursing him; that he told him that he need not do like that because he was drinking; then Geddes slapped him (Perry) in the face and then Perry said that he stabbed him with a knife. That Geddes struck him two or three times after Geddes had been stabbed.

"F. S. MOORE."

Members of the jury who heard the two cases were: W. H. Waters, foreman, J. F. Fowler, Tom Nix, A. C. Carvin, P. B. Bishop and G. M. Hill.

KILLINGS - 1940

TENNESSEE

Nashville, Tenn. Banner
August 27, 1940

Negro Homicides In City Last Year Lead State

The Negro homicide rate in Nashville during 1939 was the highest in Tennessee, and the city's white homicide rate ranks second in the State, according to a bulletin issued today by the Vital Statistics Bureau of the Tennessee Department of Public Health.

The white homicide rates for the four larger cities were: Chattanooga, 12.0 per 100,000 population Nashville, 8.3; Knoxville, 7.3; and Memphis, 2.7, while the colored homicide rates were Nashville, 120.9; Chattanooga, 119.8; Knoxville, 85.0; and Memphis, 49.7.

There were 456 homicides recorded in Tennessee during the year, for an average rate of 15.9 per 100,000 population. This is comparatively a high mark when it is considered that the homicide rate for the United States is only 6.8.

During the five-year period, 1934-38, only four states, Florida Mississippi, Alabama, and Georgia, had higher rates than Tennessee.

Of the 456 homicides in 1939, 162 were white persons and 294 were Negroes. The Negro rate, 58.6, was over eight times the white rate of 6.8 per 100,000 population.

Health department officials said that when the homicide rates for the four large cities are compared it is noted that Memphis had the lowest rate in its white and Negro population, although its combined rate of 20.7 was slightly higher than that of Knoxville, 19.8, due to the large Negro population in Memphis.

Richmond, Va., Times-Dispatch
August 28, 1940

Chattanooga Also Has a High Negro Murder Rate

The Chattanooga Times

IN THE light of the high homicide rate among Negroes in this city it would seem that both courts and public opinion assume there is not much that can be done to prevent Negro slayings. Commissioner Eugene J. Bryan asserted Tuesday that he cannot remember when a Negro has been electrocuted for a first-degree murder committed in Chattanooga. There have been 30 Negro slayings in this city since January 1, and the Police Department has made arrests in all 30 cases. But the Police Department cannot complete the legal process; it can, as Commissioner Bryan asserts, "do nothing more than arrest a murderer and place him in court."

Other cities in the South, some of which have Negro populations larger than Chattanooga's, have each year a homicide rate much lower than the high rate in this city. The failure to convict is, of course, not the only reason why Negro slayings are numerous. . . .

THERE is a direct connection between the number of police officers available for regular duty in the Negro sections of Chattanooga and the homicide rate. An addition of 35 police officers in the year after 74 Negro killings had given the city its highest number resulted in a reduction of 50 per cent in a twelvemonth period. The controversies and fights among Negroes which frequently lead to slayings can be prevented in many cases if there are police officers regularly assigned to the "trouble areas."

Enforcement of the law among the Negroes may primarily be a social problem; certainly the number of underprivileged and unemployed among the Negroes is larger in proportion to total population than among the whites. But for the community to fail to strengthen the law enforcement arm in sections where slayings continue to be condoned is to undermine law enforcement in general. The slayings among Negroes are only one phase of a problem which affects every citizen. A progressive step might be taken if city and county officials examined anew the entire subject of the responsibilities of the city Police Department and the sheriff's office. It ought to be possible to provide for cooperation between the two agencies.

Negroes Held In Killing

GRENADA, Miss., Nov. 5.—Three negro employes of the Grenada Plywood Factory, Robert Gorden, T. B. Nixon and John Eddie Brown, were bound over without bail to the January grand jury on a charge of murder in connection with fatal beating of another negro, Sam Conley, farm hand on the T. Cooley plantation near here. The trio was given a preliminary hearing in the court of Mayor Sharp Monday afternoon and bound over.

NOV 6 1940

Commercial Appeal Memphis Tenn

Chattanooga, Tenn., Daily Times
November 11, 1940

POLICE VICE RAIDS AIMED AT KILLINGS

Negro Bootleggers Arrested In Drive to Cut Down High Homicide Rate

Seeking to reduce Chattanooga's high Negro homicide rate by more stringent law enforcement in districts where slayings usually occur, the police department carried on a series of vice raids over the week-end and arrested twenty-three persons on charges ranging from visiting a disorderly house to keeping a disorderly house and possessing liquor.

By direction of Commissioner Eugene J. Bryan, who recently stated the Negro homicide rate was the police department's No. 1 problem, city officers cleande out all known dives and joints in Negro areas. The officers concentrated on bootlegging houses where 5-cent drinks of cheap corn lipuor may be obtained.

More than ten gallons of liquor were seized in four raids.

"Now that our traffic problem has been overcome and we are among the cities with the lowest traffic death rate, the police department must turn its attention more to the causes of Negro slaying and remove such causes before a killing occurs." Commissioner Bryan said last night.

Chattanooga, Tenn., Free Press
November 8, 1940

Only Five Years for Murder

Chattanooga Negroes and white interracial workers for good-will, have been genuinely alarmed at the rapidly rising homicide rate among Negroes. It is not confined to the city alone. On one day last week, funeral notices from colored funeral homes included four persons who had been slain by other members of their race.

The Rev. Elizabeth Hill, of 1048 Fourth Street, writes the following suggestion:

I have come to a conclusion as to what is needed to stop the wholesale murders in our race. I notice in your paper of Oct. 31 that Solomon Wilkey got only five years for murder. That is the reason that Negroes are killing one another and a lot of innocent people are cut down. Curtis McCray was mistaken for another man and murdered. I suggest if we can't have colored jurors that will stand for capital punishment, let it be made a law that they be deported to England and put on the firing line. Something must be done.

It seems a cold-blooded thing to advocate more certain capital punishment, for the Commandment says: "Thou shalt not kill"; but if that is needed for the protection of society and taking one guilty life by due process of law and justice will save many more, there is abundance of Scripture and of humanity to justify it.

The idea was presented to Commissioner Eugene Bryan, and the commissioner, who has been expressing alarm for some time over the situation, approved the idea.

"If we could send even one of these slayers to the chair and let him be 'emphasized' for the rest of them," he said, "these killings would cease almost at once.

Chattanooga, Tenn.
Tenn. Evening Times
Dec. 2. 1940

HOMICIDES REDUCED

November was a month for Chattanooga to remember, so far as homicides were concerned. No violent death of any kind was recorded, no homicide, either of white or Negro, and a single suicide was the only blot on the city's mark.

Cleaning up of the places where cheap illicit whisky is sold to Negroes was largely responsible for the good record. Chattanooga's Negro homicide record for the year 1940 is not good, and a clean sheet in December also will still leave us with a somewhat worse mark than last year. In 1940, already, fifty-two Negro homicides have been reported, while during the entire twelve months of 1939 there were only forty-seven. It seems absurd to say "only forty-seven," however, for forty-seven murders in one year would have put many a European nation to shame in the years before murder became Europe's first business at hand.

One of Chattanooga's objectives during 1941 should be the sharp reduction in its homicide rate, and the co-operation of leaders of both white and colored races is necessary before that can be done.

Murder "Racket" Among Negroes In Chattanooga

Daily Worker
Atlanta Ga
DEC 23 1940

CHATTANOOGA, Tenn.—(SNS)—The disgraceful racket of Negroes taking Negroes' lives continues to take its number here in Chattanooga. According to Homicide Officer Smith's report, fifty-two Negroes have taken each others lives since January, 1940; which is a shameful and disgraceful record that one, Katie Davenport, commonly called "Sister Kate" emptied a six-shooter into the body of Minnie Green, which proved to be fatal.

The Mrs. Green is said to have been sitting in a chair when "Sister Kate" opened fire. It is said that "Sister Kate" was laboring under the impression that Mrs. Green had piped" on her to the police who captured whiskey a few weeks ago, believed to have belonged to "Sister Kate," who surrendered to police Sunday and was charged with murder.

James Mason, 22, and Louis Roberts, of 1301 1-2 Carter street fought a duel Sunday night, Dec 15th in the 1300 block on Pine street which resulted in the death of both.

CITY JUDGE MORE RIGID WITH MURDERERS

Municipal Judge M. A. Fleming lived up to his announced statement a few days ago, that he would be more rigid on Negro murderers and felonious assault cases; when he held Nat Ervin to the grand jury without bond, Tuesday, Dec 17th.

Ervin killed a man on E. 9th St. Saturday, Dec. 7th and those who claim to know, and who will be witnesses in the case, said that it was a cold-blooded murder.

COMMISSIONER BRYAN SAYS "ELECTROCUTE SOME"

Mr. Eugene Bryan, Commissioner of Fire and Police, in a public statement relative to the disgraceful homicide record among Negroes in Chattanooga said, "more rigid punishment should be meted out to these killers."

Chattanooga, Tenn.
Evening Times, Dec. 18, 194

Fleming Clamps Down on Negroes

Alleged Murderer Held Without Bond

Judge Martin A. Fleming began clamping down in an effort to decrease homicides among Chattanooga Negroes, which has reached fifty-three this year, the greatest in the past several years, as he refused bond to the forty-ninth alleged murderer in city court hearing Tuesday morning.

Judge Fleming promised Monday, after three Negro homicides, including a double slaying, had occurred over the week-end, that he would "burn up" Negroes brought before him on assault and murder charges. "This whittling on and shooting each other must stop," the judge asserted in court.

"If you are not convicted of at least second-degree murder there will be a miscarriage of justice," the judge told Nathan Erby, 27, colored, of 1000½ Cypress street, accused of the forty-ninth Negro slaying of the year.

Erby is charged with killing Abe Wilson, 31, colored, of Flynn street, on the night of Dec. 7 at the Melody club, colored entertainment resort, 216 East Ninth street.

No Bond Given

The accused was held to the county grand jury without bond. Courts here were accused Monday by Commissioner Eugene Bryan of being too lenient in dealing with colored murderers, saying that "it takes the electric chair to frighten Negroes; they are not worried by the penitentiary."

Erby is alleged to have stabbed Wilson during an argument, which witnesses testified Erby started. Wilson made no move to molest Erby, according to a witness, Matthew Howard, colored janitor at the establishment where the slaying occurred.

Attorney Hugh Norvell, representing the defendant, charged witnesses with "getting together and planning testimony." Even so, he asserted, testimony conflicted on various points. He entered a plea of not guilty for Erby.

Homicide Detective E. E. Smith acted as prosecutor. Nearly 100 Negroes, one of the largest recent colored courtroom crowds, were present at the hearing.

MAN AND WOMAN SHOT TO DEATH BY LOCAL POLICE

Nashville Tenn

Many Citizens Believe Tragic Killings Were Unnecessary

1-12-40

Dead men or dead women tell no tales and for that reason only ex parte testimony is available for recording the reason why a colored man and woman were shot to death in bed at 712 Jo Johnston Avenue on Saturday of last week shortly before 6:30 P. M.

William Harney, a laboring man and who worked regularly and Mrs. Bessie Wiley were the two persons who were killed almost instantly by police bullets. The police report of why the two persons were killed was that Harney was in the act of trying to shoot the police officers when they entered the home. The man and woman were in bed at the time, it is reported, and the man is said to have snapped his pistol after having uttered a vile name to the police officers when they knocked on the door. The account of the killing also states that the police "pushed" open the door which may or may not mean that the door was broken open. If broken open it is plausible to believe that a frightened man might have reached for his pistol.

It is stated that police officers deliberately shot Harney in self-defense, but Mrs. Wiley was accidently killed.

Cause of the presence of police in the home was given as response to a charge by a young woman of the community that she had been forced into his room by Harney.

Not a few persons who have commented upon the killing of the man and woman express the belief that the matter which called the police to the home was not serious enough to produce so horrible a tragedy and that the two killings should be recorded among the unnecessary homicides in Nashville for 1940.

White Man Indicted In Death Of Negro

MEMPHIS, Tenn. — A 23-year-old white man, W. H. Howard, was indicted on a second degree murder charge by the Shelby County Grand Jury last Thursday in connection with the auto death of 72-year-old Robert Dupree.

Howard, who struck Dupree in early February, was driving about 70 miles an hour when he fatally injured Dupree, according to witnesses. He tried to escape a police squad car and ran through five stop signs before he was caught. He was fined $125 on charges of reckless driving and leaving the scene of an accident. Howard paid the fine but was held pending the outcome of Dupree's injuries.

Dupree, who died in the John Gaston Hospital, was the first 1940 fatality in the city.

Nashville, Tenn. Banner
February 2, 1940

Tennessee Tops 48 States In Murders

Knoxville, Feb. 2—(AP)—A University of Tennessee professor has found that Tennessee tops the list of forty-eight states in murder and non-negligent manslaughter.

Moreover, writes Dr. William B Jones, Jr., in the current edition of the University news letter, Tennessee is second in the nation in crimes of aggravated assault and third in the number of robberies.

Dr. Jones, assistant professor of sociology, said he compiled the rankings after a study of police reports submitted to the Federal Bureau of Investigation during 1938. His study was based upon reports per 100,000 population from all states.

"Various factors affect the amount of crime in a community or state," wrote Dr. Jones in an article entitled, "Crime and Delinquency in Tennessee."

Three of the principal ones in Tennessee, he reported, are composition of the population with reference to age, sex and race; the high proportion of Negroes among the population, and the economic status and activities of the people.

As a means of eliminating crime, Dr. Jones suggested the replacement of untrained, non-professional officials in police systems, courts, juvenile training schools and prisons with competent, professionally-trained persons.

Among other suggestions was one that each local community recognize its responsibility for crime and delinquency and through a coordination of community agencies and services develop prevention programs.

A report by Dr. William B. Jones, Jr., of the University of Tennessee, that Tennessee topped all other states in the number of murders shows, Governor Cooper said today, "the need for building up respect for law and law enforcement."

"It also shows we are right in pushing our State Highway Patrol program for law enforcement and that we are right in our policy of issuing no pardons for murder."

DYERSBURG OFFICERS KILL NEGRO, FUGITIVE

Commercial Appeal

Man Wanted In Arkansas Shot As He Pulls Gun

8-1-40

Memphis, Tenn.

By HAROLD BURSON

From The Commercial Appeal Dyersburg Bureau

DYERSBURG, Tenn., July 31.—Dyer County police authorities killed Roosevelt Wiseman, 29, negro, wanted for murdering a negro woman and shooting an Arkansas highway patrolman, Wednesday morning when he attempted to resist arrest near Heloise.

An escaped Mississippi convict who killed his wife at Drew, Miss., Wiseman was shot as he reached for his pistol upon seeing Sheriff Clarence Williamson and three other Dyer law enforcement officers.

The negro had shot Highway Patrolman Eddie B. David in the hand when he tried to apprehend him near Blytheville Monday afternoon.

Sheriff Williamson began searching for Wiseman early Wednesday morning, after learning he had crossed the river and was heading toward Dyersburg. The body was removed to Blytheville by Mississippi County deputies.

Word was received here from Blytheville that Patrolman David likely will lose his hand as a result of the scuffle with Wiseman, when he attempted to return the negro to Blytheville from Little Rock for questioning. The negro disarmed him, fired the shot and made his getaway. He still had the patrolman's gun when he was shot here.

Chattanooga, Tenn., Free Press
July 23, 1940

Homicide Problem Deserves Study

Three homicides among Chattanooga Negroes last week-end brought the total of Negro killings in Chattanooga up to 25 this year. The record, which is not new but typical of Chattanooga for the past few years, challenges the deepest study of those who are interested in the welfare and continual improvement of the colored race in this city. It is something that the inter-racial committee might adopt as a major project for the year.

Leaders of the Negro race, with many of whom we have been associated in racial improvement enterprises, are aroused over conditions which are hamstringing their efforts at building a better and stronger Negro citizenship. Whatever suggestions they may offer will be deserving of the most serious and sympathetic consideration.

Chattanooga, Tenn., Daily Times
August 17, 1940

NEGRO HOMICIDE RATE

100

In the light of the high homicide rate among Negroes in this city it would seem that both courts and public opinion assume there is not much that can be done to prevent Negro slayings. Commissioner Eugene J. Bryan asserted Tuesday that he cannot remember when a Negro has been electrocuted for a first-degree murder committed in Chattanooga. There have been thirty Negro slaying in this city since January 1 and the Police Department has made arrests in all thirty cases But the Police Department cannot complete the legal process; it can as Commissioner Bryan asserts, "do nothing more than arrest a murderer and place him in court."

Other cities in the South, some of which have Negro populations larger than Chattanooga's, have each year a homicide rate much lower than the high rate in this city. The failure to convict is, of course, not the only reason why Negro slayings are numerous. According to Commissioner Bryan:

There are several other reasons why the Negroes in Chattanooga are killing each other with regularity. One is the fact that ours is the smallest police force per capita of any city in the United States. Another is the fact that the Sheriff's office does not do any policing within the city limits, although the Sheriff is nominally the chief law enforcement officer, his county taking in the city, which is really the First District of the county.

There is a direct connection between the number of police officers available for regular duty in the Negro sections of Chattanooga and the homicide rate. An addition of thirty-five police officers in the year after seventy-four Negro killings had given the city its highest number resulted in a reduction of fifty per cent. in a twelve-month period The controversies and fights among Negroes which frequently lead to slayings can be prevented in many cases if there are police officers regularly assigned to the "trouble areas."

Enforcement of the law among the Negroes may primarily be a social problem; certainly the number of underprivileged and unemployed among the Negroes is larger in proportion to total population than among the whites. But for the community to fail to strengthen the law enforcement arm in sections where slayings continue to be condoned is to undermine law enforcement in general. The slayings among Negroes are only one phase of a problem which affects every citizen A progressive step might be taken if City and County officials examined anew the entire subject of the responsibilities of the City Police Department and the Sheriff's office It ought to be possible to provide for cooperation between the two agencies.

Chattanooga, Tenn., Daily Times
August 14, 1940

BRYAN ASSAILS HOMICIDE RATE AMONG NEGROES

Blames Courts and Juries for Failure to Sentence Killers to Death

Terming the problem a "major" one for the police department, Commissioner Eugene J. Bryan asserted yesterday that the city's Negro murder rate was entirely too high, and charged Hamilton county courts and juries with failure to enforce the law by not ordering the electrocution of "cold-blooded Negro killers."

"I cannot remember when a Negro has been electrocuted for a first-degree murder committed in Chattanooga." Commissioner Bryan stated. "It has been at least twenty years. White men, too, have escaped the death sentence, but not as often as Negroes."

Reinforcing his argument with statistics showing that other cities in Tennessee and the south had sent to the electric chair from three to nineteen Negroes convicted of murder in the past ten years, Commissioner Bryan said, "Some of them get life here, but a Negro with $200 can hire a lawyer and get off with a few years."

"Some people think a life sentence means life in the penitentiary," the police official continued. "The truth of the matter is that a person given a life sentence is eligible for parole at the end of thirteen years and some few months."

Other Cities Cited

Figures cited by Commissioner Bryan show that nineteen Atlanta Negroes have been put to death for murders committed in Fulton county since 1930. Three white men received death sentences during the same period. In Birmingham, with a heavy Negro population, fifteen persons of that race paid with their lives for slaying other Negroes. Three whites were put to death during the ten-year period.

Nashville sent nine Negroes to the death chair, and three white men. Eight Memphis Negroes and two white men were electrocuted, while in Knoxville, where the Negro population is comparatively light, three persons were convicted and electrocuted for Negro murders.

"There are several other reasons why the Negroes in Chattanooga are killing each other with regularity," Commissioner Bryan said. "One is the fact that ours is the smallest police force per capita of any city in the United States. Another is the fact that the sheriff's office does not do any policing within the city limits, although the sheriff is nominally the chief law enforcement officer, his county taking in the city, which is really the First district of the county."

All Murders Solved

Police records show that every one of the thirty Negro murders committed here since Jan. 1 has been solved by the arrest of the alleged murderer. "This," Commissioner Bryan pointed out, "is proof that the slayers are being brought to trial. The police department can do nothing more than arrest a murderer and place him in court. It does not have the power to convict him."

"What the department would like to do is police Negro districts so well that Negro fights will be stopped before they end up in murders. If we had enough officers to break up petty dice games, often the causes of killings, cheap bootleg joints and gambling houses, the Negro murder rate would drop a lot.

"It's getting so that nowadays drunken driving is more serious a crime than murder," Commissioner Bryan observed.

"The police department at the beginning of the year had two major problems to contend with. One was decreasing traffic accidents and fatalities. The other was Negro murders. We've got the traffic problem pretty well in hand now, and it's time we got some co-operation on the Negro murder problem."

Budget Blamed

Budget difficulties, Commissioner Bryan said, have prevented him from keeping police cars and equipment in good condition, much less hire new officers. "I was forced recently to lay off several men to keep within my budget," Commissioner Bryan said. "The police department needs more men and a whole new fleet of automobiles. The fire department needs new equipment and fire hose, in addition to repairs to fire halls."

Several years ago, when the Negro murder rate rose to an all-time high of seventy-four for a single year, Commissioner Bryan added thirty-five men to the police force. In the next year, the rate was more than halved. Officers were given new beats in trouble-making Negro districts, and manpower on Negro beats already established was reinforced.

The homicide division of the detective bureau is in reality a one-man bureau: Detective E. E. Smith. He is assisted by a Negro special officer, W. R. Kendrick. Detective Smith personally investigates Negro slayings, obtains the names of witnesses and handles the prosecution in city and state courts.

During a recent wave of Negro murders, a criminal court jury gave a Negro slayer the death sentence, but the supreme court revoked the sentence and ordered a new trial.

Awaiting grand jury action at the present is a 25-year-old Negro, who accounted for his second victim by allegedly slashing eighteen times a Negro youth lured to a field near the Western Union pole yards. Patrolman G. W. McClure said the slayer, Alber ("Blind Man") Hall, was guilty o "one of the most cold-blooded mur ders ever committed." He charge Hall with killing another Negro simpl because the victim was in possessio of evidence incriminating the knife-wielder in another stabbing.

Two Negroes were shot or stabbed to death during the past week-end. The death rate for the year is about the same as it was last year, Detective Smith reported.

Police Slug Negro Youth To Death

Two Other Frame Up Victims Face Death in Texas

DALLAS, Tex., May 26.—Giving the lie to the reactionary claim of a "lynchless year" during the past 12 months, the lynching of a 15-year old Negro boy was uncovered here, it was learned yesterday.

This is the sixth lynching during the so-called "lynchless year."

The youth, Ernest McDay, was brutally beaten to death by policemen, after being framed with two other Negro youths on a charge of "fatally attacking" a 51 year old white woman. The other youths are Theodia Muldrow, 18, and Albert Wesley, Jr.

Muldrow has already been sentenced to a "legal" lynch verdict after an illegal all-white jury deliberated on his case for about 20 minutes.

Wesley's trial comes up today. And unless widespread protest reaches the court and Gov. W. Lee O'Daniel, it is expected that he too will receive the same outrageous death penalty.

The information revealing that McDay had been murdered was brought to light by local Negro citizens, among them leaders of the National Association for the Advancement of Colored People.

BEATEN TO DEATH

Because of his youth, McDay was given a framed up "mercy" sentence of four years to the jim-crow state training school for Negroes. He was turned over to Judge Henry King of the Criminal District Court who assigned him to B. O. Snelen and E. E. Wallace, assistant county juvenile officers. The next day McDay was reported dead of "coronary thrombosis," due to "syphilis."

Calling for an autopsy, the NAACP officials learned that McDay's heart was in perfect condition when he died, that he had not had syphilis and that he had been beaten to death.

According to J. L. Goforth, the pathologist of the St. Paul Hospital, there were scars and abrasions showing that the 15 year old lad had been slugged to death.

The community is aroused and numerous organizations are demanding that the guilty lynchers be brought to justice, and that the other boys be freed.

FIFTH WARD MAN IS SLAIN BY ROOMER WITH SHOT GUN

Officers Willis and Evans answered a call Saturday afternoon to 4305 Hardy only to find Robert Hamrock, 27-year-old Negro dead. Hamrock was lying on the floor near the front door where he was shot one time with a 12 gauge shotgun.

Hamrock was rushed to Jefferson Davis Hospital for emergency treatment, but died soon after his admittance. Inquest was held by Judge Ragan.

Henry Johnson was arrested and charged with murder. He gave his age 42, and his address the same as Hamrock's. The shooting was the outgrowth of an argument between the two Negroes. The shotgun allegedly used by Johnson is tagged in the homicide office.

WHITE PATROLMAN MURDERS NEGRO MAN IN PRAIRIE

SEP 21 1940

Cruising Patrolman J. M. Robertson shot and kiled King Gregg, 55-year-old Negro, 4808 Center, last Saturday. Robertson claimed that Gregg advanced upon him with a knife when he and Patrolman Claudder were sent to investigate a report gambling disturbance at 5418 Center.

Robertson claimed that on their arrival at the above address that six or seven Negroes ran from the house into a field of weeds. Two of the men were caught but the others strayed in different directions.

Robertson gave chase and caught his trousers on some briars and fell.

"A Negro raised up out of the weeds about 20 feet from me," Robertson told Captain Peyton. "He had in his hand an open knife and started toward me. I hollered at him to drop the weapon but he paid no attention to my warning. So I fired one time with the bullet striking him in the chest."

Gregg was carried to Jefferson Davis Hospital, where he died soon after his admittal. A verdict of justifiable homicide was returned in the inquest by Judge Tom Maes.

According to Justice Maes, Mallie Salters, 53-year-old Negro, was alleged to have said that he saw Gregg brandish a knife on the white officer.

Fifth Ward Man Murdered Sunday In Four-Way Fight

NOV 30 1940

Tragedy struck here last Sunday, when two married couples fought it out in true Dalton brothers style, with one another in a bloody Fifth Ward slashing blitzkreig.

When the hostilities had ceased two men and two women were enroute to the hospital suffering from slash wounds resulting from a free-for-all. One of the injured men died Sunday night, as he failed to respond to treatment of his ugly wounds.

Money Argument Cause of Fight

The trouble first began when Ira Harrison (the murdered man), 3406 Clinton Drive, started arguing with Acie oree, 31, 2826 Whitty, about ome money allegedly owed him by Goree. Harrison is said to have grabbed Goree by the collar and threatened his life if payment of the debt was not made on the spot.

A. C. Kuykendall, proprietor of the place where the argument began, promptly ushered Harrison and Goee out of his place before the fire works commenced. Mrs. Mildred Harrison and Mrs. Dora Goree, wives of the two men also went outside of the cafe.

Harrison and Goree resumed hostilities when outside of the cafe in a cutting scrape that saw Harrison a little slow with his knife and was promptly stabbed by Goree. Mrs. Harrison seeing her husband stabbed by Goree turned on Mrs. Goree and allegedly stabbed her three times in the back.

When The Law Turns Outlaw

THERE are a variety of circumstances under which a Coroner may be justified in rendering a verdict that a police officer has killed a person suspected of crime "in line of duty." The Virginia Supreme Court has held, however, that a mere suspect, fleeing from arrest, may not with impunity be killed by pursuing police officers.

In 1936 a white man, suspected of having committed a felony, was shot and killed by a Norfolk police officer while fleeing from the scene of the alleged crime. The officer was prosecuted and convicted. He appealed to the State Supreme Court, which upheld the verdict of the lower court.

Since that time there has been less shooting of fleeing suspects by Norfolk policemen. This is due, in part, to the decree of the high court, and in part to a ruling by the local police department based upon that decree.

But there is still wanton killing of Negroes suspected of crime going on in Norfolk county, and the Journal and Guide calls upon Judge Carney, of the Norfolk County Circuit Court, to investigate the killing this week in the South Norfolk section, of 20-year old Willie Jones, by County Officer O. L. Parkerson and C. L. Briggs, a special officer for the Norfolk Southern Railway.

Even if Jones were guilty of the crime for which he was sought—that of snatching a purse—we do not conceive how conscientious officers of the law could imagine that they were vested with authority to take over the roles of court and executioner. With all of the facilities at their command to apprehend the youth, the killing of the suspect appears to be wanton murder.

Unless Judge Carney takes action in this case the community will be put on notice that in Norfolk County a Negro suspected of crime may be killed with absolute impunity by officers of the law.

Mother Of 2 Infants Held In Stabbing

SEP 21 1940

Husband Fatally Wounded After Fuss With Mate

Special to Journal and Guide

RICHMOND, Va. — A twenty-year-old Fulton matron, of two infant daughters, was arraigned in Police Court here Monday on charges of fatally stabbing her husband.

Louis Beverly was stabbed through the heart with a knife and the stabbing is alleged to have taken place on Friday night following an argument with his wife, Mrs. Edna Knight Beverly, at the corner of Denny and Gilliam Streets in Richmond.

Mrs. Beverly, arrested in connection with the slaying of her husband, is said by police to have admitted the killing and to have claimed self defense.

When she was arraigned before Police Court justice, the case against Mrs. Beverly was continued until Friday of this week.

"DIDN'T MEAN IT"

The accused woman, interviewed in Second Precinct station by a Journal and Guide reporter, declared that she "did not mean to kill him."

"I just did it to keep him from killing me," she asserted after stating that her husband, also known as Fred Beverly, had advanced on her and threatened to kill her with a wine bottle.

According to the woman's story, she and her husband, whom she alleges quarrelled with her habitually, were arguing on the corner when her husband is said to have knocked her down. Sometime during the fracas that ensued, the man was fatally stabbed.

She alleged that her husband beat her at intervals.

In tearful voice, she described the events leading up to the stabbing to a Guide reporter. She declared that her husband had been drinking wine and forced her to take a drink. He then began arguing with her about receiving a "message" from another man whom he had seen talking to her. Then, she states, he struck her.

MARRIED 2 YEARS

The injured man was rushed to St. Philips Hospital where he was found dead on arrival. The couple had been married for slightly more than two years. They have two daughters, the youngest of which is seven months old.

Mrs. Beverly is a former Armstrong High School student.

Funeral services for Beverly were held at 3:30 p. m., Tuesday from the Randolph Funeral Home.

Henry Terry Freed, Ending Fantastic Case

Death Blow To Case Dealt By Va. Supreme Court

Portsmouth Bureau

One of the strangest epics in the history of law and order ended Monday as Henry Terry, defendant in the fantastic Sivills murder case walked forth to freedom and a new era of his life, after Commonwealth's Attorney A. O. Lynch moved to nolle prosse the murder charge on the strength of a recent decisive decision rendered by the Virginia Supreme Court of Appeals.

Judge C. W. Coleman, after granting the motion, agreed for immediate release of the famous prisoner and at high noon Terry emerged from Norfolk County's grim jail to revel in the first freedom he had enjoyed in more than two years. He was brought immediately to the Portsmouth office of the Journal and Guide where he told to reporters the story that the world has been waiting to hear. . . his version of the most fantastic case ever to blacken the records of Norfolk County Circuit Court.

To colored citizens of Portsmouth who backed the defense campaign with their money and their prayers, the famous case had resolved itself into a mighty crusade for "justice" in a land where it is often denied them. The news of Terry's freedom brought rejoicing to colored citizens who generally regarded the dismissal as a blow to "the brutal practice of quick-trigger police officers."

Terry convicted by an impatient jury late on the eve of Thanksgiving, 1939, was saved by the ruling of an alert appeals court which held that "the identification was not positive" and that "the evidence was not sufficient to connect the accused with the crime."

LACK EVIDENCE

"We have no other evidence and for that reason I move that the case be nolle prossed," Atty. Lynch stated in court Monday morning.

In concurring with the commonwealth's attorney's decision, Judge Coleman stated that the "identification" of Terry has always been a weak point in the case.

"I had so much doubt about the identification and other points in the case that I did everything within my power to put the case before the Appeals Court," the aged jurist stated.

A scant crowd in the solemn court chamber was robbed of the expected thrills of a heated legal skirmish by Atty. Lynch's decision to abandon the case. Three attorneys sat ready to continue the bitter legal battle that has raged since the fateful morning of February 1, 1938, when the dimunitive defendant was shot in the back by officers who, acting "on a tip," entered the Terry home without a search warrant, an act which prompted colored citizens to begin a determined fight in defense of freedom's old proverb, "A man's home is his castle."

CASE HISTORY

The Terry case was born on the bleak night of January 30, 1938 when the bullet-torn body of Cecil Sivills, white navy yard worker was found at a lonely spot on the Portsmouth Country Club golf course. Mrs. Daisy Brown Ward, woman companion of Sivills on the fateful night, told the police a weird story of being held up at gun point as they sat in their parked automobile. The hold-up man, which she later "identified" as Terry, marched them about 500 yards across the golf links and then announced that he was going to criminally assault her, she testified. In an effort to give the young woman a chance to escape, Sivills ran, she declared, with the gunman in pursuit. She heard two shots. She then ran to where Sivills had fallen and shook him. Then the man attacked her, she declared.

"INCREDIBLE"

When she was finally released, she stated that she made her way across the golf course to a nearby house and gave the alarm. Investigating officers apparently never doubted the young woman's story, which was recently branded as "inherently incredible" by the Appeals Court.

Terry critically wounded by the bullets of arresting officers, remained a patient at a local hospital for several weeks and was later lodged in the county jail where he was held until Monday.

Mrs. Ward examined two line-ups before "identifying" Terry. The defendant has been tried twice, the first trial resulting in a hung jury. During the second trial officers produced a rusty pistol which they claimed was found in the back yard of Terry's home 77 days after the crime was committed. The pistol was not admitted into evidence during the first trial but was accepted as evidence in the second trial. Two days were required to hear the case during both trials.

COMMITTEE ACTS

Colored citizens of Portsmouth, lead by a special Terry Case Committee, donated the necessary money to push the famous case through its numerous legal stages. Several mass meetings have been held in connection with the case. Dr. Charles E. Stewart, pastor of Emanuel AME Church, is chairman of the committee.

At a recent Terry case mass meeting Dr. Stewart stated that "the people of Portsmouth have given colored people generally a decision that will be referred to and used for the next hundred years. It is the biggest thing since the Civil War closed in this state . . . .the greatest decision since reconstruction."

Rev. Mr. Stewart further stated that "hate and prejudice" was inserted in the case at its beginning causing people to become aroused. He declared that the shooting of Terry by arresting officers was the spark that set off the Terry case campaign among colored people.

"Had they **simply arrested** Terry," the speaker stated, "he would have been sitting in the penitentiary now and nobody much **would have been interested.**"

Bradshaw Slated to Die, April 12

State Supreme Court Denies Appeal to Slayer of Deputy

RICHMOND — Losing last week in his second battle for his life before the State's highest tribunal, Willie Bradshaw, former Halifax county tenant farmer, is scheduled to die in the electric chair here on April 12.

The Virginia Supreme Court of Appeals on Friday refused to issue a writ of error following an appeal from a second death sentence handed to Bradshaw last November.

Shot White Deputy

The elderly Bradshaw shot Herbert A. Boelte, white deputy sheriff, to death on December 18, 1938, at a farmhouse near Clover, Halifax County.

Boelte was felled with a shotgun as he crept up the stairs at the farm home of Miss Gladys Buckner, where Bradshaw occupied the second-floor room.

He went to the farm house with John W. Hatcher, another Halifax County deputy, to "talk to Bradshaw," Hatcher engaged in an altercation with the woman, who said that she asked him not to go upstairs.

The deputy said that the woman threatened him with an ax, while screaming hysterically, and that he drew his gun while Hatcher started up the steps. She denied any threatening move.

Bradshaw maintained that Bolte came up the steps with his gun drawn, and said that he ignored two demands about what he wanted. Then he shot in fear of his own life, Bradshaw said.

Following the shooting, Bradshaw came downstairs and Hatcher fled. Bradshaw then began a long and futile flight, which ended months later in a swamp in Chesterfield County, where a guard at the State farm shot him in the left eye in an exchange of bullets.

Shot by Hatcher, Too

Previously, Hatcher had shot Bradshaw in the mouth before fleeing. That bullet broke some of Bradshaw's teeth but caused little other damage.

At the first trial last spring, Bradshaw was represented by a white counsel, Martin A. Martin, young Danville attorney and president of the NAACP there, was an observer at the trial.

The Halifax County NAACP headed by Dr. Vincent Estill, a South Boston physician, maintained that race prejudice militated against Bradshaw at the trial, which was presided over by Judge Needham S. Turnbull.

Observers said that the epithet "n———" was used frequently.

The county NAACP, supported by the State conference of branches, engaged Mr. Martin, who was aided by Prof. Leon A. Ransom of the Howard University law school and J. Thomas Hewin, Jr., of Richmond, in preparing an appeal.

The Supreme Court ordered a retrial on the grounds that Judge Turnbull instructed the jury improperly and allowed other errors to creep into the proceedings.

Got Colored Juror

At the second trial in November, W. A. Lacks, merchant and farmer who could be mistaken for white easily, sat on the jury. The jury was unanimous in finding Bradshaw guilty and setting the death penalty.

Mr. Martin, Mr. Hewin and Oliver W. Hill, Richmond attorney, immediately pressed for another reversal.

Taxi Driver's Body Found, Cab Missing

By Associated Press

ROANOKE, VA., July 21.—Police Chief G. T. Keeble said today the body of Guy Yates, 37-year-old taxi driver, was found last night on a bridge on the Roanoke-Wadley Highway. Yates had been struck on the head and shot several times, Keeble reported. Yates's automobile was missing, the chief said, although no money had been taken from his person.

BULLET-RIDDLED BODY OF DRIVER OF TAXI FOUND

Mystery Surrounds Fatal Shooting On Bridge Near Roanoke

ROANOKE, Ala., July 21—The body of Guy Yates, about 37, local taxi driver, was found last night on a bridge on the Roanoke-Wadley Highway about one and one-half miles from here, G. T. Keeble, chief of police, reported.

Yates had been shot several times and had been struck a hard blow on the head, it was reported.

Officers said his automobile was missing, but that apparently no money had been taken from his person. The officers said they were investigating a report that a car answering the description of Yates' was seen in Wadley shortly before Yates' body was found. They said they were informed several men were in the car.

The officers said they understood that Yates had left Roanoke earlier in the night with several passengers in his car, but no clew could be obtained as to their identity. No reason for the act could be ascertained, the officers said.

Surviving Yates are his wife and a son.

Norfolk, Va. Pilot
August 18, 1940

Retraction and Apology

On August 7, the *Virginian-Pilot*, in the course of an editorial discussing the shooting on August 5 of a young Negro suspected of purse-snatching, said that "it does not seem to us on the basis of the published facts" that the two officers, C. L. Briggs and O. L. Parkerson, who fired at the "fleeing suspect" were "so bereft of other means to intercept him, that they were justified in killing him."

We were moved to that comment in pursuance of a long-established policy of condemning police resort to fire-arms in pursuit of suspects, except in self-defense, and by the absence of any indication, in the circumstantial and apparently complete statement of the officers concerned, that the shooting of Willie Jones was resorted to in the belief that their own lives were endangered.

On Friday, charges of manslaughter lodged against these two officers were dismissed by Justice Robert R. Beaton, after a hearing in the Norfolk County Trial Court in the course of which undisputed testimony was offered to the effect that the officers began shooting only after the suspected purse-snatcher "threw his hand back" to his hip-pocket and gave the officers reason to fear for their lives.

These are facts that were omitted from the recital on which the *Virginian-Pilot* based its criticism of the officers' conduct. If they had been set forth in the original recital we should have offered no criticism, for shooting in self-defense is an elementary right. We therefore take the first opportunity offered by the publication of the details omitted from the first version, to retract the assertion that the shooting lacked justification, and extend to the two officers concerned our sincere apology for an inadvertent criticism of their conduct.

Mystery Shrouds Hampton Slaying

HAMPTON, Va.—Dr. Paul J. Parker, coroner of Elizabeth City County, reported after an inquest held last week into the death of Harry Golden, who was fatally shot August 17 at the intersection of Union Street and Back River Road, that death resulted from a .38 caliber bullet wound in the chest, which police charge Golden's 27-year-old son-in-law, William Francis, with inflicting.

The youth was arrested shortly after his father-in-law was found in a dying condition and succumbed enroute to the Dixie Hospital. No date has been set for a preliminary hearing on the murder charge for which he is held.

THRONG EXPECTED

Although the tragedy was witnessed by a number of persons congregated about a near-by beer garden where the altercation between the two men is alleged to have taken place, mystery still shrouds the real motive for the slaying. Friends of both families are reluctant to talk for publication, but the details to be brought out in the trial promise to attract a throng of spectators to the courtroom.

Golden is well known in Hampton and the county, and is said to have been of a quiet, retiring nature by some well acquainted with him. He was regarded as a faithful and trustworthy employe of a local grocery firm for 20 years.

Norfolk Alarmed By Trigger-Fingered Shooting of Suspect

The slaying here Monday by county police officers, of a man suspected of pocketbook-snatching, has alarmed local citizens and brought protests from newspaper editors and influential Norfolkians.

The fact that the shooting of an unarmed Negro suspect, Willie Jones, was called a "homicide in the line of duty" by the Norfolk County Coroner recalls a Supreme Court decision, handed down several years ago, which refuted the right of officers to kill under circumstances such as those surrounding the shooting of Jones.

Jones was shot by Norfolk County Officer O. L. Parkerson, and C. L. Briggs, Norfolk Southern Railroad special officer, as he was being pursued down the Norfolk Southern Railroad tracks in the Berkley section of Norfolk, Monday morning.

Jones was hit three times by shots from the guns of the officers, who stated that they commanded him to halt before shooting him down.

Later, the body was identified by a white woman, Mrs. M. S. Harrell, as the man who snatched her purse as she was walking from her home on Indian River Road to a church in Berkley. The purse was later located in a patch in some nearby woods. $2 in cash, a driver's permit, a pass into the naval base and several personal items were missing.

She is said to have notified police, who contend that Jones fitted the description given them. The police came across the 25 year old youth walking down the railroad track, they said. According to their version of the incident, they commanded him to halt, and when he failed to stop, they opened fire, hitting him three times, once in the neck, once in the face, and once in the arm.